

COMPANY/MINE Valley Camp of Utah, Inc. NOV/CO # 93-39-6-1
 PERMIT # ACT/007/001 VIOLATION # 1 OF 1

HINDRANCE TO ENFORCEMENT VIOLATIONS INSPECTOR'S STATEMENT

A. Hindrance To Enforcement (Answer for hindrance violations only such as violations concerning recordkeeping, monitoring, plans and certification.)

1. Describe how violation of this regulation actually XX or potentially (check one) hindered enforcement by DOGM and/or the public and explain the circumstances.

◆ Inspected Valley Camp of Utah and the identification signs were changed to White Oak Mining and Construction. No permit transfer written information was given to the Division.

B. Degree Of Fault (Only one question applies to each violation, check and discuss.)

() No Negligence
 If you think this violation was not the fault of the operator (due to vandalism or an act of God), explain. Remember the permittee is considered responsible for actions of all persons working on the mine site.

() Ordinary Negligence
 If you think this violation was a result of not knowing DOGM regulations, indifference to DOGM regulations or the lack of diligence or reasonable care. Explain.

(XX) Recklessness
 If the actual or potential environmental harm or harm to the public should have been evident to an operator, describe the situation and what if anything, the operator did to correct it prior to being cited.

◆ Operator had verbal discussion with DOGM but failed to submit written information to conform with R645-303-300.

COMPANY/MINE Valley Camp of Utah, Inc. NOV/CO # 93-39-6-1

PERMIT # ACT/007/001 VIOLATION # 1 OF 1

()

Knowing and Willful Conduct

Was the operator in violation of a specific permit condition? Did the operator receive prior warning of noncompliance by State or Federal inspectors concerning this violation? Has DOGM or OSM cited the violation in the past? If so, give the dates and the type of warning or enforcement action taken.

Good Faith

1. In order to receive good faith for compliance with an NOV or CO the violation must have been abated before the abatement deadline. If you think this applies, describe how rapid compliance was achieved (give dates) and describe the measures the operator took to comply as rapidly as possible.

◆ Submit to the Division a complete, approved and accurate application for transfer of permit within 90 days. Operator should have no problems.

2. Explain whether or not the operator had the necessary resources on site to achieve compliance.

◆ Information could have been compiled before White Oak Mining and Construction started operating.

3. Was the submission of plans prior to physical activity required by this NOV? Yes XX No If yes, explain.

◆ White Oak must be approved by the Division prior to mining failure to comply with R645-303-310.

October 5, 1993
DATE



AUTHORIZED REPRESENTATIVE