

Document Information Form

Mine Number: C 1007/004

File Name: Internal

To: DOGM

From:

Person N/A

Company N/A

Date Sent: N/A.

Explanation:

INSPECTOR'S STATEMENT

cc:

File in:
Cl 007, 004, Internal

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

INSPECTOR'S STATEMENT

(A) Event Violations (go to (B) if this is an obstruction to enforcement violation)

1. What harmful event was this regulation designed to prevent? (Insert the event listed on the Reference List and remember that the event is not the same as the violation.)

EROSION, WATER POLLUTION AND SEDIMENT LOADING OF STREAMS

2. If the event has happened, describe it. If it has not happened, what would cause it to happen and how likely is that? (For example, if there is an area for which no sediment control is provided, has runoff from that area reached a stream? If it hasn't reached a stream, what would cause it to get there and how likely is that to happen?)

A BERM WAS INTENTIONALLY BREACHED TO ALLOW DISTURBED AREA RUNOFF TO DRAIN OFF APAD. THIS RUNOFF THEN ENTERED AN EPHEMERAL STREAM CHANNEL, WHICH FLOWS INTO THE PRICE RIVER, THAT WAS FLOWING AT ~150-200 GPM AND APPEARED TO BE FAIRLY CLEAR PRIOR TO THE DISTURBED RUNOFF ENTERING IT.

3. How much damage has already occurred as a result of the violation? Also, is the damage on the permit area or does it extend off the permit area?

APPROXIMATELY 600 GALS. OF RUNOFF @ ~100,000 PPM LEFT THE PERMIT AREA

4. How much damage might have occurred if the violation had not been discovered by an OSM inspector? Describe this potential damage. Would the damage extend off the permit area?

3,000 - 4,000 GALS MORE OF THE ABOVE DESCRIBED RUNOFF WOULD HAVE LEFT THE PERMIT AREA WITHIN A MATTER OF LESS THEN 10 MINUTES. AND THE CONTRACTOR WOULD PROBABLY CONTINUE TO USE THIS METHOD OF DRAINAGE WHENEVER NEEDED.

(B) Obstruction to Enforcement Violations (answer for obstruction violations only, such as violations concerning recordkeeping, monitoring, plans, and certifications)

5. Describe how violation of this regulation actually obstructed enforcement by OSM and/or the public.

II. Degree of Fault (only one question applies to each violation; first decide which question to answer).

6. If you think this violation was not the fault of the operator (perhaps due to vandalism or an act of God, for example), explain. Remember that the permittee is considered responsible for the actions of all persons working on the minesite.

7. If you think this violation was the result of not knowing about OSM regulations, indifference to OSM regulations, or the result of lack of reasonable care, explain.

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8. If the actual or potential environmental harm or harm to the public should have been evident to a careful operator, describe the situation and what, if anything, the operator did to correct it prior to being cited.

GROSS NEGLIGENCE WAS EVIDENT, THE OPERATOR SAID HE HAD DISCUSSED PROPER METHODS OF DRAINAGE CONTROL ON NUMEROUS OCCASIONS WITH THE CONTRACTOR. AND NOV NSI-2-14-1 WAS ISSUED ON 11/24/81 FOR SIMILAR PROBLEMS IN THE EXACT SAME AREA.

9. Was the operator in violation of a specific permit condition? Did the operator receive prior warning of violation by the State or by OSM concerning this violation? If so, give the dates and the type of warning.

III. Good Faith

10. In order to receive good faith for compliance with an NOV or CO, an operator must have taken extraordinary measures to comply as rapidly as possible. The violation must have been abated before the time set for abatement. If you think this applies, describe how rapid the compliance was and what extraordinary measures the operator took.

GOOD FAITH IS NOT AVAILABLE

MARCH 18, 1982
Date

David [Signature]
Authorized Representative