

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: C 1007 004 Internal

Refer to:

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Date _____ For additional information

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 Confidential
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In CI 007, 009, Internal _____
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.)

UNSAFE DISCHARGE, EROSION AND WATER POLLUTION

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?) *THE EVENT HAS NOT OCCURRED BUT WOULD BE LIKELY TO OCCUR IN THE EVENT OF A 10 YEAR, 24 HOUR STORM OR LARGER*

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?

NO DAMAGE HAS OCCURRED

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? *POSSIBLE EROSION OR WASHOUT OF THE ACCESS ROAD TO THE MINE; THE SEDIMENT LADEN WATER WOULD THEN ENTER AN EPHEMERAL STREAM CHANNEL.*

(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.

AT MINE #5

THE THREE SEDIMENT PONDS WERE CONSTRUCTED SEVERAL YEARS AGO. THE UPPER POND OVERFLOWS INTO THE MIDDLE POND WHICH IN TURN OVERFLOWS INTO POND 005. WHEN THE PONDS WERE CONSTRUCTED THE OPERATOR FAILED TO CONSTRUCT A SPILLWAY FOR POND 005. THE OPERATOR SHOULD HAVE BEEN AWARE OF THIS DEFICIENCY.

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.

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.

MARCH 18, 1982
Date

David Laf
Authorized Representative