

HINDRANCE TO ENFORCEMENT VIOLATIONS
INSPECTOR'S STATEMENT

Company/Mine: Genwal Resources, Inc/Crandall Canyon Mine
Permit #: C/015/032

NOV # 03-49-1-1
Violation # 1 of 1

- A. **HINDRANCE TO ENFORCEMENT:** (Answer for hindrance violations only such as violations concerning record keeping, monitoring, plans and certification).

Describe how violation of this regulation actually hindered enforcement by DOGM and/or the public and explain the circumstances.

Explanation: Permittee failed to request a permit renewal 120 days before the existing permit expiration date. This time frame is established by regulation to allow adequate time for review, publication, and public comment.

- B. **DEGREE OF FAULT** (Check the statements which apply to the violation and discuss).

- Was the violation not the fault of the operator (due to vandalism or an act of God), explain. Remember that the permittee is considered responsible for the actions of all persons working on the mine site.

Explanation: _____

- Was the violation the result of not knowing about DOGM regulations, indifference to DOGM regulations or the result of lack of reasonable care, explain.

Explanation: The operator was under the impression that the permit expiration date was 05/13/2004 instead of the actual expiration date of 05/13/2003. The operator is aware of the regulation that specifies that an application for a permit renewal is to be submitted 120 days prior to the expiration of the existing permit.

- 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.

Explanation: _____

- Was the operator in violation of any conditions or stipulations of the approved MRP?

**Hindrance to Enforcement
Inspector's Statement**

NOV/CO # N03-49-1-1
Violation # 1 of 1

Explanation: _____

- Has DOGM or OSM cited a same or similar violation of this regulation in the past? If so, give the dates and the type of enforcement action taken.

Explanation: _____

C. 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.

Explanation: The operator submitted an application for a permit renewal before the abatement date. The violation was issued on 04/15/2003 and terminated on the same date.

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

Explanation: The abatement required an application for a permit renewal. The ability to comply to this abatement item was within the resources of the operator.

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

Explanation: _____

Karl R. Houskeeper
Authorized Representative

Signature

April 16, 2003
Date