

EVENT VIOLATION INSPECTOR'S STATEMENT

Genwal/Crandall Canyon Mine
Permit # C/015/032

NOV #21216

A. SERIOUSNESS

1. What type of event is applicable to the regulation cited? Refer to the DOGM reference list of event below and remember that **the event is NOT the same as the violation**. Mark and explain each event.

- a. Activity outside the approved permit area.
- b. Injury to the public (public safety).
- c. Damage to property.
- d. Conducting activities without appropriate approvals.
- e. Environmental harm.
- f. Water pollution.
- g. Loss of reclamation/revegetation potential.
- h. Reduced establishment, diverse and effective vegetative cover.
- i. No event occurred as a result of the violation.
- j. Other.

Explanation:

2. Has the event occurred? Yes

As a result of not maintaining adequate drainage over an extended period of time, runoff water has saturated a portion of a well-used USFS road to the point of failure.

Explanation:

3. Did any damage occur as a result of the violation? Yes

Explanation: A portion of USFS road approximately 50' long by 20' wide has catastrophically failed, destroying the road plus the supporting Gabion wall on the outslope of that road.

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.

Explanation: _____

- 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 a specific permit condition?

Explanation:

- Has DOGM or OSM cited the violation in the past? If so, give the dates and the type of warning or 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 date) and describe the measures the operator took to comply as rapidly as possible.

Explanation: *Once the failure was discovered, the operator immediately collaborated with a local contractor (SCAMP Construction) to erect safety barricades and initiate repairs.*

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

Explanation: *The resources were on site, but were not adequately maintained. In this case, lack of maintenance for culverts and drainage ditches is eventually what led to the event.*

3. Was the submission of plans prior to physical activity required by this NOV / CO? If yes, explain.

Explanation: Submission of plans is required (Due June 10), but in this case physical activity was required immediately since this is a well-used public road and safety was a major consideration.

Justin Eatchel
Authorized Representative


Signature

5/29/2019
Date

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