



STATE MINING AND GEOLOGY BOARD

Policy and Legislation Committee

George Kenline, Chair; Jelisaveta Gavric, Negar Noushkam

EXECUTIVE OFFICER'S REPORT

For Meeting Date: June 13, 2013

Agenda Item No. 2: Consideration of Changes to Inspection Form MRRC-1 (4/97) Pursuant to Title 14, Division 2, Chapter 8, Subchapter 1, California Code of Regulations, Article 1, Section 3504.5(g).

INTRODUCTION: Inspection of a surface mining operation is required not less than once each calendar year to determine if the surface mining operation is in compliance with the requirements of Public Resources Code (PRC) Chapter 9, commencing with Section 2710. Inspection Form MRRC-1, as referred to in California Code of Regulations Section 3504.5(g), was last revised in April 1997. The Department of Conservation (DOC) develops the inspection form; whereas, the State Mining and Geology Board (SMGB) approves the form. Due to the overall poor quality and adequacy of inspections statewide, efforts to revise Inspection Form MRRC-1 have been initiated by the DOC Office of Mine Reclamation (OMR) with collaboration from the Executive Officer. At its October 11, 2012 meeting, the Committee discussed proposed revisions to the form, and requested that OMR report back to the Committee following sufficient time for stakeholders to review and comment on the proposed revisions. Comments from stakeholders and amendments to the revised form were further considered at the Committee's December 13, 2012, and March 14, 2013 meetings. A revised inspection form, which incorporates comments previously received, is before the Committee for further review and discussion, and recommendation to the whole SMG for approval consideration.

REGULATORY AUTHORITY: California Code of Regulations (CCR) Section 3504.5(g) states:

"The inspection report to the lead agency shall consist of the inspection form MRRC-1 (4/97), developed by the department and approved by the board, and any other reports or documents prepared by the inspector or inspection team. The lead agency shall provide a copy of the completed inspection report along with the lead agency's statement regarding the status of compliance of the operation to the director within 30 days of completion of the inspection. A copy of the completed inspection report and lead agency statement of compliance shall also be provided to the mine operator within 30 days of completion of the inspection."

EXECUTIVE OFFICER RECOMMENDATION: The Executive Officer recommends that the Committee consider the additional revisions which have been incorporated, and if deemed acceptable, or with further revision (whole or in part), recommend to the whole SMGB approval of the revised inspection form.



Executive Officer's Report

SUGGESTED MOTION LANGUAGE: The Committee may consider the following motion language:

Motion – Recommend approval by whole SMGB:

Mr. Chairman, in light of the evidence presented before the Policy and Legislation Committee today and contained in the Executive Officer's Report, I move to recommend to the whole SMGB approval of revised form MRRC-1 [as modified] pursuant to California Code of Regulations Section 3504.5(g).

Respectfully submitted:



Stephen M. Testa
Executive Officer