



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: December 13, 2012

**Agenda Item No. 9: 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 operation is in compliance with the requirements of Public Resources Code 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. Since such time, the quality and adequacy of inspections have not improved. Efforts to revise Inspection Form MRRC-1 have been initiated by the Office of Mine Reclamation (OMR) with collaboration from the State Mining and Geology Board (SMGB) staff. 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. A revised inspection form, which incorporates comments received by the time this report was prepared, as deemed appropriate, was before the Committee for further review and discussion, at their December 13, 2012, scheduled meeting. The SMGB is considering approval of the revised inspection form.

REGULATORY AUTHORITY: California Code of Regulations 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 SMGB approve of the revised inspection form, with further revision if deemed necessary.

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

Motion –Approval of revised form MRRC-1:

Mr. Chairman, in light of the evidence presented before the State Mining and Geology Board today and contained in the Executive Officer's Report, I move that the Board approve revised form MRRC-1 pursuant to California Code of Regulations Section 3504.5(g).

Respectfully submitted:



Stephen M. Testa
Executive Officer