SUPPLEMENTAL INFORMATION

Series: 20 Pg. No: 1 of 2 Effective:1-93

SUBJECT: Inspector Guidelines for Assessment Conferences

- 1. <u>Purpose:</u> Addresses inspector participation during assessment conference.
- Definitions:
- 3. Legal Authority: 38-2-20.6
- 4. <u>Policy/Procedures:</u> All assessment conferences will be held in the Regional Office nearest the operation in question.

Inspector participation is mandatory, unless specifically approved by the Surface Mine Reclamation Supervisor.

The following quidelines are provided to assist the inspectors participation in the assessment conference process:

- A. Informal conferences are as the name implies informal and are not recorded. They are, however,
 similar to any actual court case in which you may
 have participated in that the operator's side and
 the Department's side are aired before an
 impartial assessment officer. The Assessment
 Officer, based on the facts presented, may
 vacate the violation or assessment, reduce the
 assessment, raise the assessment, or uphold the
 violation or assessment. The inspector then is
 representing the Department's side and as such
 must be prepared to discuss the facts surrounding
 the violation(s) and any other factors pertinent
 thereto.
- B. Conduct at informal conferences is important and one should remember that the Assessment Officer's decision is final. His decision is based on the facts, as prescribed, and his ability to be impartial and reasonable.

1

Page Two

Argumentative or adversarial attitudes on the inspector's part will be avoided, as they will only serve to detract from the facts at hand. Legal Aid section of the handbook should be reviewed as it provides excellent guidance for participation in trials or hearings. A professional demeanor always enhances your participation in situations such as this.

C. Conferences are scheduled on a certain date by the Assessment Officer. You will be notified of date and time by a copy of the assessment conference schedule. If you cannot attend a conference, immediately notify your supervisor so that other arrangements can be made.

| DD_1 ∩n | - |
|---------|---|
| DR-10A | |

VIOLATION HISTORY

| AME: | | | | |
|------------------|---------------------|-----------|--------------------|--|
| IOLATION DATE | VIOLATION NUMBER | DISP * | DATE TERMINATED | TYPE VIOLATION, ADDITIONAL REMARKS |
| | | | | |
| | | | | · · · · · · · · · · · · · · · · · · · |
| | | | | |
| | | | | |
| | | | | |
| · · · · · · · · | | | | |
| | | | | |
| | | 2 | | |
| · · · · · · | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | The second secon |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | ļ | | |
| | | } | | |

^{*} If a violation is withdrawn or vacated by the assessment officer, do not include in history or pattern of violations. Should three or more like or similiar violations occur within a twelve month period, the area supervisor must be notified in accordance with your handbook.

| ñn | 100 |
|----|------|
| UΒ | -100 |

| 0. | 3-10B · | υ | Pageof | |
|----|---------|-----------------------------|--------|------|
| • | 2. | REPORT OF VIOLATION HISTORY | | |

| COMPANY NAME: | PERMIT NO: | |
|-------------------------------------|---|---------------|
| VIOLATION #: Description | DATE: | _ |
| | | _ |
| VIOLATION #: Description | | - - |
| | | |
| VIOLATION #: Description | DATE: | |
| If willful or unwarranted describe: | | |
| | d departure from the law (unusual conditions) | - |
| SUPERVISOR SUMMARY: | | - - |
| If issuance of show cause order wil | ll further enforcement of the act explain: | <u>-</u> |
| Supervisor Recommendation: | | _ |
| Superivsor Signature | Date | |
| | | |

WEST VIRGINIA DIVISION OF ENVIRONMENTAL PROTECTION

| TYPE OF MEETING: | |
|----------------------|--|
| LOCATION OF MEETING: | |
| SUBJECT OF MEETING: | |

SPEAKERS

(Please Print)

| DATE: | | | | |
|-------|--|--|--|--|
|-------|--|--|--|--|

| NAME | ADDRESS | REPRESENTING |
|--------------|---------|--------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | <u> </u> |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | - |
| | | |

SPEAKERS

(Please Print)

| | DATE:_ | |
|------|---------|--------------|
| NAME | ADDRESS | REPRESENTING |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | -1 | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | 1 |

WEST VIRGINIA DIVISION OF ENVIRONMENTAL PROTECTION

| TYPE OF MEETING: | | | |
|--------------------|-----|-------------|------|
| LOCATION OF MEETI | VG: | | |
| SUBJECT OF MEETING | ;: | | |
| | | | |

ATTENDANCE ONLY (Please Print)

| | DATE: | | |
|------|-------------|--|--|
| NAME | ADDRESS | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |