

SUPPLEMENTAL INFORMATION

SUBJECT: Inspector Guidelines for Assessment Conferences

1. Purpose: Addresses inspector participation during assessment conference.
2. Definitions:
3. Legal Authority: 38-2-20.6
4. Policy/Procedures: 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 guidelines 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.

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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.

REPORT OF VIOLATION HISTORY

COMPANY NAME: _____

PERMIT NO: _____

VIOLATION #:

DATE:

Description _____

If willful or unwarranted describe: _____

VIOLATION #:

DATE:

Description _____

If willful or unwarranted describe: _____

VIOLATION #:

DATE:

Description _____

If willful or unwarranted describe: _____

If any violation(s) was an isolated departure from the law (unusual conditions)
describe _____

SUPERVISOR SUMMARY: _____

If issuance of show cause order will further enforcement of the act explain: _____

Supervisor Recommendation: _____

Supervisor Signature_____
Date

(Please Print)

DATE: _____

[illegible]

*WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION*

TYPE OF MEETING: _____
LOCATION OF MEETING: _____
SUBJECT OF MEETING: _____

ATTENDANCE ONLY
(Please Print)

DATE: _____

NAME	ADDRESS