

Table 3-6. Notices of Noncompliance				
Type of Activity	Notices		Plans	
	# Issued Since 1981	# Currently Outstanding	# Issued Since 1981	# Currently Outstanding
Exploration	384	138	79	14
Strip Mining	7	0	4	2
Open Pit	88	9	66	10
Placer	145	24	70	9
Independent Mill Site	26	6	26	8
Underground	40	4	13	3
<b>TOTAL</b>	<b>690</b>	<b>181</b>	<b>258</b>	<b>46</b>
Currently Outstanding Notices of Noncompliance				
Reason for Issuance	Notices		Plans	
Failure to File a Notice or Plan	13%		19%	
Issued During Operational Phase of Project	15%		35%	
Failure to Reclaim	72%		46%	
<b>Total</b>	<b>100%</b>		<b>100%</b>	

The existing regulations have three levels or procedures that need to be followed for incidents of noncompliance. The first level or procedure is the issuing of a notice of noncompliance requiring the operator to correct the problem by a certain time. If the operator does not correct the noncompliance, a record of noncompliance is issued, and the operator is required to post bond for the entire operation at 100% of reclamation costs. If the operator takes no further action, the operator's case is sent to the U.S. Attorney's Office to be resolved. Of the total incidents of noncompliance 76% have been resolved by notices of noncompliance, 15% by records of noncompliance, and 9% by the U.S. Attorney.

Of the 254 active notices of noncompliance, 208 are for Notice-level operations, and 46 are for Plan-level operations. Of all public land mining operations, 3% of the Notice-level operations and 4% of the Plan-level operations have been issued notices of noncompliance. Seventy-three percent of all notices of noncompliance issued have been resolved.

## Environmental Consequences

### Impacts Common to All Alternatives

Under all alternatives compliance with environmental regulations represents a cost to the mining industry and affects the level of mineral exploration and mining. Included are costs of delays resulting from longer processing times, direct costs of conducting environmental studies, or costs of having to use certain technology. Delays could result from an operation's not being able to mobilize on schedule because of weather and other restrictions. Delays could mean that a deposit would not be developed, production would not begin on schedule, and that the operation would lose revenue. Environmental standards also increase the cost of doing business.