

Sophia Cassam

From: Nina Connally <nina8.connally@gmail.com>
Sent: Wednesday, November 23, 2022 1:12 PM
To: Comp Plan Update
Cc: Richard Oettinger
Subject: Part Two: County Council public hearing on November 29 re: ELQ delinquent MSHA fines
Attachments: Egg Lake Quarry MSHA Violations 2022_11_22.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear San Juan County Council: thank you for taking our public input on this matter.

RE: Planning Commission Preliminary Recommendation: Egg Lake Quarry (ELQ) parcel 363244001000 outstanding MSHA penalties

We respectively want to inform the San Juan County Council that ELQ has not paid significant fines issued on July 21, 2021 by the UNITED STATES DEPARTMENT OF LABOR Mine Safety and Health Administration (MSHA) as of November 22, 2022.

Per the attached file, **ELQ owes MSHA over \$10K in delinquent fees.**

Why is this important?

1. [MRLO](#) designation requires that the applicant **comply with local, state, and federal laws.**
2. ELQ business practices to not timely pay MSHA fines jeopardizes long-term commercial mining longevity which is the cornerstone of the MRLO designation.

Per our local MSHA Field Officer, Keith Palmer:

"At that point they will be required to communicate with the Department of Treasury for payment of past due assessments. If they do not communicate with the treasury, **MSHA will be forced to shut them down until payment is made.** I suspect this will be sooner rather than later. However, the scofflaw program is not my area of expertise. We currently have a couple of mine operators in this MSHA district that are on the scofflaw list."

Regards, Keith Palmer, U.S. Department of Labor, Mine Safety and Health Admin., Field Office Supervisor, 6811 S. 204th Street; STE180, Kent, WA 98032

We respectively urge the San Juan County Council to postpone approving Egg Lake Quarry for MRLO designation until the MSHA fines are paid and compel ELQ to promptly pay possible future fines to avoid the quarry being shut down.

Sincerely,

Nina Connally and Rick Oettinger

249 Gill Ln, Friday Harbor, WA 98250
Citizens of San Juan Island
Home: 360-378-4747



Nina Connally <nina8.connally@gmail.com>

RE: Egg Lake Quarry still delinquent for 2021 fines?

Nina Connally <nina8.connally@gmail.com>
Draft

Tue, Nov 22, 2022 at 3:30 PM

----- Forwarded message -----

From: **Palmer, Melvin - MSHA** <Palmer.Melvin@dol.gov>
Date: Mon, Nov 7, 2022 at 7:29 AM
Subject: RE: Egg Lake Quarry still delinquent for 2021 fines?
To: Nina Connally <nina8.connally@gmail.com>

Ms. Connally,

Thanks for reaching out to this office. At some point, in the near future, Egg Lake will most likely be put on the scofflaw list. At that point they will be required to communicate with the Department of Treasury

for payment of past due assessments. If they do not communicate with treasury, MSHA will be forced to shut them down until payment is made. I suspect this will be sooner rather than later. However,

the scofflaw program is not my area of expertise. We currently have a couple of mine operators in this MSHA district that is on the scofflaw list.

Regards,

*Keith Palmer***U.S. Department of Labor**

Mine Safety and Health Admin.

Field Office Supervisor

6811 S. 204th Street; STE180

Kent, WA 98032

(O)253-395-9585

(F) 253-518-7655

From: Nina Connally <nina8.connally@gmail.com>
Sent: Friday, November 4, 2022 2:25 PM
To: Palmer, Melvin - MSHA <Palmer.Melvin@DOL.GOV>
Subject: Egg Lake Quarry still delinquent for 2021 fines?

CAUTION: This email originated from outside of the Department of Labor. Do not click (select) links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails through the "Report Phishing" button on your email toolbar.

Dear Melvin: hello! We spoke months ago about Egg Lake Quarry's delinquency for not paying for the 2021 fines that amounted to approximately \$12,000.

The screen shot below is from today's report pull which is still showing a delinquent fine payment status (though the \$ amounts no longer show to the public).

Can you be so kind to advise what steps MSHA is taking? When we last spoke, you stated that it can take many months if not years. And usually a delinquent owner like Myron Williams will only pay up at the time when facing dire consequences which might be a far out as June 2023.

As neighbors, we are very concerned about Myron William's lack of adherence to mine safety and arrogance to the law.

We appreciate your update on the collection if not closure process. This is very important now because the mine has applied for Mineral Resource Lands Overlay (MRLO) designation. We have another hearing at the end of this month.

Thank you very much.

Note to Nina:

253-395-9585

—

Nina Connally
Cell: 360-298-2122
Home: 360-378-4747
FAX: 360-346-1020

11/22/2022

**UNITED STATES DEPARTMENT OF LABOR
Mine Safety and Health Administration (MSHA) Violations Report**

Mine ID	Violator Name-	Citation / Order No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Term.	S & S	Standard	Citation / Order	C / O Status	Proposed Penalty (\$)	Current Penalty (\$)	Amt. Paid (\$)
4503350	Williams Enterprises	9616236	'--	08/04/21	'--	104(b)	08/19/21	'--	56.14107(a)	O	Not Assessed Yet	\$ -	\$ -	\$ -
4503350	Williams Enterprises	9616219	541244	07/29/21	11/02/21	104(a)	08/04/21	N	56.14132(a)	C	Delinquent	\$ 279.00	\$ 279.00	\$ -
4503350	Williams Enterprises	9616216	541244	07/28/21	11/02/21	104(a)	'--	N	56.14107(a)	C	Delinquent	\$ 1,667.00	\$ 1,667.00	\$ -
4503350	Williams Enterprises	9616217	541244	07/28/21	11/02/21	104(a)	08/04/21	Y	56.14107(a)	C	Delinquent	\$ 7,427.00	\$ 7,427.00	\$ 330.95
4503350	Williams Enterprises	9616218	541244	07/28/21	11/02/21	104(a)	07/29/21	N	56.4201(a)(1)	C	Delinquent	\$ 136.00	\$ 136.00	\$ -
4503350	Williams Enterprises	9616220	541244	07/28/21	11/02/21	104(a)	08/04/21	N	56.14100(b)	C	Delinquent	\$ 453.00	\$ 453.00	\$ -
4503350	Williams Enterprises	9616221	541244	07/28/21	11/02/21	104(a)	08/04/21	N	56.14132(a)	C	Delinquent	\$ 453.00	\$ 453.00	\$ -
4503350	Williams Enterprises	9616222	541244	07/28/21	11/02/21	104(a)	07/29/21	N	56.11012	C	Delinquent	\$ 136.00	\$ 136.00	\$ -
4503350	Williams Enterprises	9616223	541244	07/28/21	11/02/21	104(a)	07/29/21	N	56.4201(a)(2)	C	Delinquent	\$ 136.00	\$ 136.00	\$ -
												Total less amount paid:	\$ 10,356.05	
4503350	Williams Enterprises	9505361	533911	03/02/21	06/07/21	104(a)	03/09/21	N	56.14132(a)	C	Closed	\$ 202.00	\$ 202.00	\$ 202.00
4503350	Williams Enterprises	9505362	533911	03/02/21	06/07/21	104(a)	03/03/21	N	56.14132(a)	C	Closed	\$ 125.00	\$ 125.00	\$ 125.00
4503350	Williams Enterprises	9505160	519172	06/23/20	09/29/20	104(a)	07/21/20	N	56.12028	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9505161	519172	06/23/20	09/29/20	104(a)	07/07/20	N	47.31(a)	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00

4503350	Williams Enterprises	9505161	519172	06/23/20	09/29/20	104(a)	07/07/20	N	47.31(a)	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9505155	519172	06/22/20	09/29/20	104(a)	06/23/20	N	47.41(a)	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9505156	519172	06/22/20	09/29/20	104(a)	06/23/20	N	56.4101	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9505157	519172	06/22/20	09/29/20	104(a)	06/23/20	N	50.30(a)	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9505158	519172	06/22/20	09/29/20	104(a)	06/23/20	N	50.30(a)	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9505159	519172	06/22/20	09/29/20	104(a)	06/23/20	N	46.9(a)	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9505151	519172	06/18/20	09/29/20	104(a)	06/23/20	Y	56.11012	C	Closed	\$ 2,211.00	\$ 2,211.00	\$ 2,211.00
4503350	Williams Enterprises	9505152	519172	06/18/20	09/29/20	104(a)	06/22/20	N	56.9300(b)	C	Closed	\$ 135.00	\$ 135.00	\$ 135.00
4503350	Williams Enterprises	9505153	519172	06/18/20	09/29/20	104(a)	06/18/20	N	56.12018	C	Closed	\$ 135.00	\$ 135.00	\$ 135.00
4503350	Williams Enterprises	9505154	519172	06/18/20	09/29/20	104(a)	06/18/20	N	50.30(a)	C	Closed	\$ 123.00	\$ 123.00	\$ 123.00
4503350	Williams Enterprises	9371900	502770	09/10/19	12/02/19	104(a)	12/03/19	N	56.1801	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00
4503350	Williams Enterprises	9434801	502770	09/10/19	12/02/19	104(a)	09/10/19	N	50.30(a)	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00
4503350	Williams Enterprises	9434802	502770	09/10/19	12/02/19	104(a)	09/27/19	N	50.30(a)	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00
4503350	Williams Enterprises	9434204	489972	03/27/19	06/10/19	104(a)	04/17/19	Y	56.14132(a)	C	Closed	\$ 132.00	\$ 132.00	\$ 132.00
4503350	Williams Enterprises	9434205	'--	03/20/19	'--	107(a)	03/20/19	'--	'--	O	Not Assessed Yet	\$ -	\$ -	\$ -

4503350	Williams Enterprises	9434206	489972	03/20/19	06/10/19	104(a)	03/20/19	Y	56.15014	C	Closed	\$ 326.00	\$ 326.00	\$ 326.00
4503350	Williams Enterprises	9434207	489972	03/20/19	06/10/19	104(g)(1)	11/12/19	Y	46.6(a)	O	Closed	\$ 147.00	\$ 147.00	\$ 147.00
4503350	Williams Enterprises	9434208	489972	03/20/19	06/10/19	104(a)	03/20/19	N	56.14100(b)	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00
4503350	Williams Enterprises	9434209	489972	03/20/19	06/10/19	104(a)	03/28/19	N	56.14103(b)	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00
4503350	Williams Enterprises	9434210	489972	03/20/19	06/10/19	104(a)	03/28/19	N	56.12013	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00
4503350	Williams Enterprises	9434211	489972	03/20/19	06/10/19	104(a)	03/28/19	N	56.4201(a)	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00
4503350	Williams Enterprises	9434212	489972	03/20/19	06/10/19	104(a)	03/28/19	N	56.14100(c)	C	Closed	\$ 121.00	\$ 121.00	\$ 121.00