

Assignment and Report

| | | | | |
|---|----|--|------------------------|--------------------------------|
| 1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Colgard Mine Products Inc Colgard Outdoor Sports 600 Park Ave NE Norton, VA 24273, Norton City | | 2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 768090-2017-0080-B1B | | |
| 6. ATF OFFICER(S) ASSIGNED (b)(6) - Assigned Investigator (b)(6) - Assigned Investigator (b)(6) - Lead Investigator | | 3. PERMIT/LICENSE NUMBER 154720018A38578 | 4a. TARGET DATE | 4b. TARGET HOURS |
| | | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) | | |
| 7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 03/08/2017 | | | | |
| 8. PURPOSE/SPECIAL INSTRUCTIONS pls conduct a DE inspection -- expires 1/1/18 | | | | |
| 9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC | | | | |
| NO. OF VIOLATIONS | 3 | NO. OF REFERRALS | | 10. TRAVEL EXPENSES (OPTIONAL) |
| NO. OF TECS CHECKS | 36 | NO. OF TECS HITS | 7 | 2111 - PER DIEM |
| NO. OF TAX ADJUSTMENTS | | \$ VALUE OF TAX INCREASES | | 2112 - P.O.A. |
| | | \$ VALUE OF TAX DECREASES | | 2113 - COMM. AIR |
| NO. OF ASSESSMENTS | | \$ VALUE OF ASSESSMENTS | | 2114 - RENTAL CAR |
| NO. OF CLAIMS | | \$ VALUE OF CLAIMS | | 2115 - GPV EXPENSES |
| NO. OF TAX PERIODS | | \$ VALUE OF TAXES VERIFIED | | 2116 - MISC. |
| | | | | TOTAL \$ FOR INSP. |
| 11. ATF OFFICER'S RECOMMENDATION | | | | |
| Submitted by (b)(6) Industry Operations Investigator | | | | |
| Submitted on 9/20/17 | | | | |
| Investigators (b)(6) and (b)(6) disclosed three (3) Violations during this field inspection. Each violation was discussed at length with the licensees and procedures were discussed to ensure they are not repeated. (Exhibit 2) | | | | |
| Due to the fact one of these violations was for failure to file a Multiple Sale of Handgun/Pistol form as required on (b)(3) 112 Publi occasions involving (b)(3) firearms and the fact that this a repeat violation found during previous Compliance Inspections, a Warning Conference, Warning Letter and a Recall Inspection are recommended in this case. | | | | |
| Violis WC with WL and Recall | | | | |
| 12. TIME ACCOUNTING DATA | | | | |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) | | (b)(6) | | |
| MAR 2017 | | 3.00 | | |
| ATF OFFICER'S SUBTOTAL | | 3.00 | | |
| ATF OFFICER'S SIGNATURE | | | | |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) | | (b)(6) | | |
| MAR 2017 | | 29.50 | | |
| ATF OFFICER'S SUBTOTAL | | 29.50 | | |
| ATF OFFICER'S SIGNATURE | | | | |
| ATF OFFICER'S NAME (MONTH, YEAR, HOURS) | | (b)(6) | | |
| MAR 2017 | | 67.00 | | |
| ATF OFFICER'S SUBTOTAL | | 67.00 | | |
| ATF OFFICER'S SIGNATURE | | | | |
| TOTAL HOURS | | 99.50 | | |

Assignment and Report

| | | | |
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| | 3. PERMIT/LICENSE NUMBER 154720018A38578 | 4a. TARGET DATE | 4b. TARGET HOURS |
| | 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) | | |
| | | | |

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

Area Supervisor believes that a Warning Letter is more appropriate recommendation. The FFL sells approximately 1000 firearms a year and had very few violations. The multiple sales were reported immediately and the IOI went to great lengths to provide suggestions to avoid this violation again. The FFL was very open to suggestions and stated that they would begin a new system where both RP's review the forms in order to avoid missing future multiple sales. Warning letter was created and sent to FFL on 4-12-17.

Viols WL ONLY and No Recall Inspection

☒ REVIEWED

☐ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Area Supervisor

(b)(6)

REVIEW DATE

04/12/2017

ROUTING SEQUENCE AND DATE

- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

| | | | | | | |
|---|-----------------------------------|-----------------------------|-------------|--|-----------------------|----------------------|
| Name of Proprietor Colgard Mine Products Inc Colgard Outdoor Sports | Street Address 600 Park Ave NE | City Norton | State VA | Zip Code 24273- | County Norton City | Page 1 of 2 Pages |
| License/Permit/Registry Number <i>(If any)</i> 154720018A38578 | | Expiration Date 1/1/2018 | | Date(s) or Period of Inspection 03/20/2017 through 03/24/2017 | | |

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

Nature of Violation:

27 CFR 478.124(c)(5); (b)(3) 112 Public Law 55 125 STAT 552
(b)(3) 112 Public Law 55 125 STAT 552

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Error was brought to the Licensee's attention and ways of preventing such errors in the future were discussed.

(If not corrected immediately)

Number: 2

Nature of Violation:

27 CFR 478.21(a): On (b)(3) 112 P.L. 55 125 occasions, the Licensee failed to obtain a properly completed ATF Form 4473 prior to transferring a firearm to an unlicensed individual.

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Licensee was advised of the errors on the forms in question and instructed on ways to prevent this happening in the future were discussed.

(If not corrected immediately)

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

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Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

| | | | | | | |
|---|-----------------------------------|----------------|-------------|--------------------|-----------------------|----------------------|
| Name of Proprietor Colgard Mine Products Inc Colgard Outdoor Sports | Street Address 600 Park Ave NE | City Norton | State VA | Zip Code 24273- | County Norton City | Page 2 of 2 Pages |
|---|-----------------------------------|----------------|-------------|--------------------|-----------------------|----------------------|

| | | |
|--|-----------------------------|--|
| License/Permit/Registry Number (If any) 154720018A38578 | Expiration Date 1/1/2018 | Date(s) or Period of Inspection 03/20/2017 through 03/24/2017 |
|--|-----------------------------|--|

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 3

Nature of Violation:
27 CFR 478.126(a): On [REDACTED] occasions, the FFL failed to prepare a report of multiple sales (Form 3310.4) or other disposition whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person.

Citation: 27 CFR 478.126a

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken:
(If not corrected immediately)

FFL immediately filled out a Multiple Sale Form for each instance and reported them as required.

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)

Date

Signature and Title of ATF Officer
March 11 2019 Document Production 317

Date

For Official Use Only

ATF E-Form 5030 5
Revised April 2005



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
310 First Street SW, Suite 500
Roanoke, VA 24011

April 12, 2017

www.atf.gov

Colgard Mine Products Inc
Colgard Outdoor Sports
600 Park Ave NE
Norton, VA 24273-
RE: 1-54-720-01-8A-38578

Dear Mr. Bobby Colyer:

During a recent inspection at your firearms business covering the period March 2016 to March 2017 you were cited for violations of Title 27, Code of Federal Regulations, Part 478. A copy of the Report of Violations, ATF F 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations Investigator (b)(6). You indicated that you understood the requirements of the firearms laws and regulations and that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is critical to carrying out our mission to protect the public and to ensure that criminals do not gain access to firearms. ATF appreciates the efforts you and other industry members make in this area. We look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved. Should you have any questions regarding this matter, please contact (b)(6), Area Supervisor at (b)(6).

Sincerely yours,

(b)(6)

Area Supervisor

Enclosure

c: Federal Firearms Licensing Center
Roanoke II (IO) Field Office
March 11 2019 Document Production

FIREARMS INSPECTION REPORT

Name: Colgard Mine Products Inc.
Trade Name: Colgard Outdoor Sports

UI#: 768090-2017-0080
FFL#: 1-54-720-01-8A-38578

Address: 600 Park Ave NE
Norton, VA 24273

1 - Introduction

Inspection Profile:

On 03/20/2017 Industry Operations Investigators (b)(6) conducted an unannounced Compliance Inspection (Type 01, Dealer in Firearms), at the Business Premises of Colgard Mine Products Inc., d/b/a Colgard Outdoor Sports, in Norton, VA. IOI (b)(6) interviewed Bobby Colyer and Roderick Colyer, owners and Responsible Persons for the business. The scope of this inspection consisted of a review of the Licensee's ATF forms 4473, Acquisition and Disposition Records, and a 100% reconciliation of the physical inventory. The period of inspection was defined as from 03/20/2016 to 03/20/2017.

Business Profile:

Bobby Colyer and Roderick Colyer are the sole owners and Responsible Persons for Colgard Mine Products Inc., d/b/a Colgard Outdoor Sports, in Norton, VA.

A Type 01 FFL, the licensees stated they deal to the general public, friends and family.

The business is located in a commercial section of the City of Norton in Wise County, VA.

All firearms are secured within the business or on the persons of the licensee. The licensee does conduct internet sales.

No other businesses are conducted at this location.

There are no other ATF licenses held by the licensee.

The licensee has been in possession of an ATF license since 2002.

Ownership and Control:

A review of the FLS database shows the following:

Bobby Colyer and Roderick Colyer are the sole owners and Responsible Persons for Colgard Mine Products Inc., d/b/a Colgard Outdoor Sports.

There have been no unreported changes to the business and all information contained in the FLS database appears to be accurate and complete.

FIREARMS INSPECTION REPORT

Name: Colgard Mine Products Inc.
Trade Name: Colgard Outdoor Sports

UI#: 768090-2017-0080
FFL#: 1-54-720-01-8A-38578

Variance:

There are no approved or pending variances for this licensee.

2 - Recommendation

Investigators (b)(6) disclosed three (3) Violations during this field inspection. Each violation was explained at length with the licensee and procedures were discussed to ensure they are not repeated. **(Exhibit 2)**

Due to the fact one of these violations was for failure to file a Multiple Sale of Handgun/Pistol form as required on (b)(3) 112 Public Law occasions involving (b)(3) 112 Public Law firearms and the fact that this a repeat violation found during previous Compliance Inspections, a Warning Conference, Warning Letter and a Recall Inspection are recommended in this case.

3 - Inspection History

Date of Inspection: 09/05/2007
Type of Inspection: Compliance
UI#: 768090-2007-0149
Inspection Results: Two (2) violations Cited
Cited Violations:

1. **27 CFR 478.124 (c) (1):** (b)(3) 112 Public Law counts of Failure to obtain a properly completed ATF Form 4473.
2. **27 CFR 478.126a:** (b)(3) 112 Public Law counts of Failure to Prepare and Submit an ATF Form 3310.4, report of multiple sales.

4 - Acquisition & Disposition (A&D) Record - Inventory

Investigators (b)(6) conducted a complete inventory. There were a total of (b)(3) 112 Public Law open dispositions in all. (b)(3) 112 Public Law firearms were unaccounted for. The (b)(3) 112 Public Law remained unaccounted for after several days of searching the inventory and records by the Licensee.

FIREARMS INSPECTION REPORT

Name: Colgard Mine Products Inc.
Trade Name: Colgard Outdoor Sports

UI#: 768090-2017-0080
FFL#: 1-54-720-01-8A-38578

The Licensee filed a theft/loss report for the (b)(3) 112 Public Law firearms discovered missing as a result of this inspection. **(Exhibit 3)**

There were a total of (b)(4) Acquisitions and (b)(4) Dispositions recorded for the inspection period. Approximately (b)(4) were Handguns and (b)(4) Long guns. Also, it was discovered that (b)(4) sales were conducted via the internet and with other FFL's.

Investigators (b)(6) reviewed a printout of the computerized Acquisitions and Dispositions record. No discrepancies were found except for the (b)(3) 112 Public Law missing firearms.

The Acquisition and Disposition record is in the proper format, and all the required information is accurate and was made in a timely manner.

The Licensee's does not use a computerized Acquisition and Disposition record.

5 - ATF Forms 4473 – NICS & Other Dispositions

Investigators (b)(6) reviewed 100% of the ATF Forms 4473 that had been executed during the period of review. There was a total (b)(3) - 112 Public Law

Investigator (b)(6) was able to reconcile the Virginia State Police Background Check information with FFL's transaction records.

Three (3) violations were discovered (See Violations section).

6 - Multiple Sales

A query of the Violent Crime Analysis Branch disclosed (b)(3) - 112 Public Law 55 125 Stat 552 multiple sales associated with this FFL during the inspection period.

Investigators (b)(6) found (b)(3) 112 Public Law unreported Multiple Sales totaling (b)(3) firearms.

Investigator (b)(6) instructed the licensee on the preparation and submission of the ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

They were addressed immediately by the FFL and reported as required.

A Violation of 27 CFR 478.126a was cited. **This was a Repeat Violation.**

7 - Suspicious/Prohibited Purchasers

There were no suspicious/prohibited purchasers identified during the inspection.

8 - Trace Activity

A query of the Violent Crime Analysis Branch disclosed (b)(3) 112 Public Law traces associated with this FFL during the inspection period. All of these had been resolved by the FFL prior to this inspection.

FIREARMS INSPECTION REPORT

Name: Colgard Mine Products Inc.
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9 - NFA/Importer/Collector/Manufacturer

The licensee is NOT authorized to deal in firearms and articles subject to the National Firearms Act.

The licensee does not conduct Importation, nor is he a Collector or Manufacturer.

10 - Referrals

There were no referrals generated during this inspection.

11 - Other

There were No items of Interest disclosed during the course of this FFL Compliance Inspection.

It should be noted that the FFL, the Responsible Persons and other employees were very helpful and pleasant during the inspection. They asked questions to improve their performance and took all answers and advice in a kind manner. Their dedication is readily apparent in their inventory, records and 4473's.

12 - Closing Actions

On 03/24/2017 Investigator (b)(6) conducted a closing conference with Responsible Persons Bobby Colyer and Roderick Colyer.

Investigator (b)(6) and the Licensees reviewed and signed the Acknowledgement of Federal Firearms Regulations. (**Exhibit 1**)

Upon answering all of the Licensee's questions, Investigator (b)(6) provided them with a copy of the acknowledgement for future reference.

13 - Violations

1. **27 CFR 478.21(a):** On (b)(6) occasions, the Licensee failed to obtain a properly completed ATF Form 4473 prior to transferring a firearm to an unlicensed individual.
2. **27 CFR 478.124(c) (5):** On (b)(6) occasion, the FFL failed to comply with the requirements of §478.102 and record on the form the date on which the licensee transferred the firearm to the purchaser.
3. **27 CFR 478.126(a):** On (b)(6) occasions, the FFL failed to prepare a report of multiple sales (Form 3310.4) or other disposition whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person.

FIREARMS INSPECTION REPORT

Name: Colgard Mine Products Inc.
Trade Name: Colgard Outdoor Sports

UI#: 768090-2017-0080
FFL#: 1-54-720-01-8A-38578

X

Industry Operations Investigator

Index of Worksheets and Exhibits

- 1 – Acknowledgement of Federal Firearms Regulations.
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- 3 – Theft/Loss Report
- 4 - FFL Compliance Inspection Worksheets.