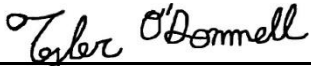




**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY**  
**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

<b>MINE NAME:</b> Pueblo East Pit	<b>MINE/PROSPECTING ID#:</b> M-1986-015	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Pueblo
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Tyler V. O'Donnell	<b>INSP. DATE:</b> April 25, 2014	<b>INSP. TIME:</b> 11:30
<b>OPERATOR:</b> Continental Materials Corporation	<b>OPERATOR REPRESENTATIVE:</b> Mark Klune	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Priority	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$2,288,004.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> April 29, 2014	

**The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.**

**INSPECTION TOPIC:** Sediment Control

**PROBLEM/POSSIBLE VIOLATION:** Problem: The Phase 2 overburden/topsoil stockpile does not have established vegetation on it and is therefore susceptible to erosion. Rule 3.1.9(1) states if topsoil is not replaced into the backfill area within a time short enough to avoid deterioration of the topsoil, vegetative cover or other means shall be employed so that the stockpile is protected from wind and water erosion.

**CORRECTIVE ACTIONS:** A) The operator shall implement an Erosion and Fugitive Dust Control Plan on all the stockpiles using an Erosion and Fugitive Dust Control Plan submitted as part of the approved Reclamation Plan. If no Erosion and Fugitive Dust Control Plan has been provided, the operator shall submit an Erosion and Fugitive Dust Control Plan for approval as a technical revision to the permit along with the appropriate \$216 revision fee to the Division by the corrective action date. The Operator shall demonstrate compliance by submitting bills of sale or photographs of erosion control activities. The Operator may also request a follow up inspection.

B) The operator has committed to removing and/or relocating the Phase 2 stockpile beginning in the January-February 2014 time frame. The operator has agreed to completing the removal/relocation by May 30, 2014. The operator shall notify the DRMS it has begun the removal/relocation on or before 2/28/2014 and provide photographic documentation by June 7, 2014 that the process is complete.

**CORRECTIVE ACTION DUE DATE:** 05/30/2014

### **OBSERVATIONS**

This was a monitoring inspection conducted by Tyler O'Donnell and Amy Eschberger of the Division of Reclamation, Mining and Safety (Division/DRMS). Continental Materials Corporation A.K.A. Transit Mix of Pueblo, The Operator, was represented by Mark Klune during the inspection. This inspection was conducted as a follow-up to an inspection conducted by the Division on November 15, 2013. The Division wanted to monitor the progress being made at moving the overburden/topsoil stockpile. The Division received a verbal complaint from Melanie Cooper during the November 15, 2013 inspection. The verbal complaint explained that the large stockpile was not stabilized and during windy periods dust would blow onto her property to the east.

The Division cited a problem in the November 15, 2013 inspection report for failure to stabilize the overburden/topsoil stockpile. The Division gave the Operator two possible corrective actions; either implement an erosion and fugitive dust control plan or remove/relocate the stockpile. The Operator opted to move the stockpile.

During the inspection the Division observed a Cat 980G front-end loader and a large articulated Komatsu truck. The truck and loader team were moving the stockpile and using the material to backfill and repair slopes around the phase 2 pit. The Operator's representative stated they were working from the southwestern side of the stockpile to mitigate fugitive dust. The Operator's representative indicated that their original estimate of the stockpile suggests that the stockpile was approximately 211,000 cubic yards. The Operator's representative stated that they believe that they have moved roughly half of the stockpile.

Please be advised the corrective action due date is May 30, 2014. The Operator must provide photographic documentation demonstrating that the stockpile has been removed by June 7, 2014.

## **PHOTOGRAPHS**



**Photo 1:** View looking north from the access road, eastern portion of the stockpile.



**Photo 2:** View looking north from the access road, western portion of the stockpile.





**Photo 3:** Truck and loader team, removing material from the stockpile.



**Photo 4:** View looking northeast from the access road.

### GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(SB) COMPLETE INSP---- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <b>PB</b>	(RS) RECL PLAN/COMP-- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	(ST) STIPULATIONS----- <u>N</u>

Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

#### Inspection Contact Address

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