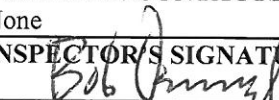




COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

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.

MINE NAME: Rudibaugh Pit	MINE/PROSPECTING ID#: M-1995-057	MINERAL: Sand and gravel	COUNTY: Gunnison
INSPECTION TYPE: Monitoring	INSPECTOR(S): Bob Oswald	INSP. DATE: September 12, 2014	INSP. TIME: 08:50
OPERATOR: Deb Rudibaugh	OPERATOR REPRESENTATIVE: Deb Rudibaugh	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: High Priority	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$11,574.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: September 19, 2014

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

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

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

OBSERVATIONS

This was an inspection conducted by the Division as part of its monitoring of 110c Construction Materials permits and to verify the sufficiency of the bond amount. The operator named on page one was present throughout the inspection. The site has been operated recently, but was not active on the day of the inspection.

The required permit ID sign was observed posted at the entrance gate to the permitted area. Permit boundary markers were installed at the boundary corners of the permit boundary.

As of the date of the inspection, the annual reports and annual fees for 2013 and 2014 had not been submitted, and this situation became an enforcement matter. The Division had scheduled the matter on the September 2014 Board meeting agenda. This inspector explained that the operator could still submit those items, and though a civil penalty was already assessed, prompt submittal would cause the matter to be removed from the Board's meeting agenda. As of the date of the writing of this report, the late annual reports and annual fees for 2013 and 2014 have been received by the Division. The enforcement hearing has been removed from the Board's agenda.

The site is operated by a party other than the permitted operator. Operations do not occur regularly throughout the year. The permit is in "active" status, which requires that the pit is operated for more than 180 days per year. The issue of intermittent activity, whether for short or long periods, was discussed. If the operator can confirm that the pit is operated for more than 180 days per year, it is appropriate that the permit remain in "active" status. If the pit is operated for less than 180 days per year, every year, the permit should be revised to "intermittent" status. If it is expected that the pit will not operate at all during the year, the permit must be placed into "temporary cessation" status. Revising the permit status from "active" to a different status is a simple revision, but it requires a \$144 fee. Please refer to Construction Materials Rule 1.13 for information about temporary cessation, and contact this office to discuss the need for either of these revisions.

Recent excavation at the site has been in the NW portion of the area. There is a small pit there, with the pitrun pushed up to the pad immediately inside the entrance gate. Rain has created a shallow puddle in the floor of this pit, which will only be temporary. There is no processing equipment and no fuel storage in the permitted area. Several stockpiles of product are located in the southern portion of the area: road base and gravel. There was no topsoil on this site prior to mining, no topsoil replacement requirement in the reclamation plan, and there is no topsoil stockpile on the permit. There were no contaminants and no noxious weeds noted.

Immediately outside the permitted area boundary, on the east and south sides, is an accumulation of construction and agricultural equipment and some debris, all of it unrelated to activity at the permit. Activity in the permitted area is approved, the site is orderly, and the existing disturbance to reclaim is limited. The financial warranty amount for the permit will be assessed to determine if it is sufficient to perform the required reclamation. There were no problems noted.

For questions related to this report, please contact this inspector at the Division's Durango Field Office: telephone 970-247-5193, or 303-866-3567 ext 8175.

All written correspondence should be sent directly to the Division's Denver Office:
Division of Reclamation, Mining & Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Inspection Contact Address

Deb Rudibaugh
5291 CR 76
Parlin, CO 81239

Inspection photographs are on the following page.

PHOTOGRAPHS

