




**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> South Asphalt Plant	<b>MINE/PROSPECTING ID#:</b> M-2009-004	<b>MINERAL:</b> Gravel and sand	<b>COUNTY:</b> El Paso
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Timothy A. Cazier	<b>INSP. DATE:</b> September 25, 2014	<b>INSP. TIME:</b> 12:55
<b>OPERATOR:</b> Rocky Mountain Materials & Asphalt, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Tom Smith & Keith Kessler	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Partial Bond	<b>BOND AMOUNT:</b> \$59,055.00	
<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> October 31, 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:** Backfilling & Grading

**PROBLEM/POSSIBLE VIOLATION:** Problem: The site is utilizing off-site fill without prior approval by the Division per 3.1.5(9) of the Rule.

**CORRECTIVE ACTIONS:** The operator shall provide a notarized affidavit, stating that the fill is, in fact, inert and addressing all requirements pursuant to Rule 3.1.5(9), which describes the intended use of inert/off-site fill by the Corrective Action due date.

**CORRECTIVE ACTION DUE DATE:** 11/30/14

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM/POSSIBLE VIOLATION:** Problem: The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule.

**CORRECTIVE ACTIONS:** The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 11/30/14

## **OBSERVATIONS**

This inspection was conducted as part of the regular monitoring program. Tom Smith and Keith Kessler were present representing the Operator. This is a 110c sand and gravel mine.

The South Asphalt Plant site is in the city of Colorado Springs near the intersection of S. Academy Blvd and I-25.

### **Inspection:**

The permit sign was missing at the time of the inspection (see **Photo 1**). Mr. Smith stated a new sign is being made and he would send the Division photos of the permit sign in place once it is posted. The missing permit sign is cited as a problem on page 1 of this report for the purpose of tracking the corrective action. The operation consists of an open pit (see **Photos 2 and 3**), approximately 30 feet deep adjacent to Rocky Mountain Materials' asphalt and concrete batch plants. The mined material is used in the two plants. The pit operation is separated from adjacent operations using safety berms and concrete barricades.

Mr. Smith indicated material is imported to backfill the pit and that he was unaware that the Division requires an affidavit for inert fill for offsite material used as backfill. This is cited a problem on page 1 of this report.

No exposed groundwater was observed during the inspection. Mr. Smith indicated if groundwater is encountered, the pit is backfilled to two feet above the encountered water.

The rest of the operation appeared to be in compliance with the approved mine and reclamation plans.

### **Records:**

- The total permitted area is 9.9 acres.
- This was the first site inspection.
- The anniversary date is September 3. Annual reports and fees were late, but are current through 2014.
- The post-mine land use is industrial (currently stockpile storage).
- The permit has had no revisions.

### **Current Stipulations:**

- There are no open stipulations.

### **Bond:**

There is a \$59,055 financial warranty (CS) for the site. The existing bond appears adequate.

### **Summary and Recommendations:**

- Two problems were observed during the inspection:
  - 1) Missing permit sign. Photo documentation of a posted permit sign is due 11/30/2014;
  - 2) Pursuant to Rule 3.1.5(9), if offsite material is imported for backfill, the Operator is required to provide the Division with notice of the intent to import backfill. The notice shall include the following:
    - i. a narrative that describes the approximate location of the proposed activity;
    - ii. the approximate volume of inert material to be backfilled;
    - iii. a signed affidavit certifying that the material is clean and inert, as defined in Rule 1.1(20);
    - iv. the approximate dates the proposed activity will commence and end, however, such dates

- shall not be an enforceable condition;
  - v. an explanation of how the backfilled site will result in a post-mining configuration that is compatible with the approved post-mining land use; and
  - vi. a general engineering plan stating how the material will be placed and stabilized in a manner to avoid unacceptable settling and voids.
- The remainder of mining and reclamation appeared to be proceeding in accordance with approved plans.

### **PHOTOGRAPHS**



Photo 1. Site entrance, missing permit sign.



**PHOTOGRAPHS (cont.)**



Photo 2. Active pit (looking east).



Photo 3. Active pit (looking SE).

### GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <b>PB</b>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>NA</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <b>PB</b>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(SB) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</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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1910 Rand Ave  
Colorado Springs, CO 80906

CC: Tom Kaldenbach, DRMS  
DRMS file