




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: Sheehan Pit	MINE/PROSPECTING ID#: M-2007-058	MINERAL: Sand and gravel	COUNTY: Moffat
INSPECTION TYPE: Monitoring	INSPECTOR(S): G. Russell Means / Amy Yeldell	INSP. DATE: July 8, 2015	INSP. TIME: 14:00
OPERATOR: C&B Sand and Gravel Inc.	OPERATOR REPRESENTATIVE: Sean and Krissa Corson	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$16,496.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 23, 2015	

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: Acid And Toxic Materials

PROBLEM/POSSIBLE VIOLATION: Problem: Improper storage and containment of fuels and/or other hazardous materials were present on site.

CORRECTIVE ACTIONS: All storage tanks, petroleum and any hazardous materials on site for any period of time shall have appropriate secondary containment. The site will also have to comply with all applicable SPCC requirements. Please supply photo documentation that any fuel or hazardous materials containers are stored properly - including applicable secondary containment structures by the corrective action date. Note that secondary containment structures shall consist of an impermeable containment which could contain all contents of the tanks and various containers (when full) plus 10% of the total capacity. The operator may also provide photo documentation that all containers have been removed from the site on or before the corrective action date.

CORRECTIVE ACTION DUE DATE: 8/21/15

INSPECTION TOPIC: Explosives

PROBLEM/POSSIBLE VIOLATION: Problem: The approved permit specifically states no explosives will be used. Evidence of blasting activities were noted and confirmed by the operator representative.

CORRECTIVE ACTIONS: As part of a possible upcoming amendment or through Technical Revision supply the Division with information to meet the requirements of Rule 6.5(4).

CORRECTIVE ACTION DUE DATE: 10/30/15

INSPECTION TOPIC: Gen. Compliance With Mine Plan

PROBLEM/POSSIBLE VIOLATION: Problem: The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation.

CORRECTIVE ACTIONS: The operator shall submit information to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date or through an amendment if required by the MLRB.

CORRECTIVE ACTION DUE DATE: 10/30/15

INSPECTION TOPIC: Off-site Damage

PROBLEM/POSSIBLE VIOLATION: Possible Violation: Land has been affected outside of the approved permit boundary. This is a possible violation at this time pursuant to: C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the affected land from slides or damages occurring during the mining operation.

CORRECTIVE ACTIONS: This possible violation will require a hearing before the Mined Land Reclamation Board. The schedule and other details for the MLRB hearing will be provided under a separate document to be sent via certified mail to the operator.

CORRECTIVE ACTION DUE DATE: 8/26/15

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign and affected area boundary markers were not observed per the requirements of Rule 3.1.12. The pit name on the sign is incorrect and no visible markers could be observed particularly along the west highwall side.

CORRECTIVE ACTIONS: The operator must post a correct sign at the entrance to the mine site which shall be clearly visible from the access road and specify the following; the name of the operator, indicate that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

CORRECTIVE ACTION DUE DATE: 8/21/15

INSPECTION TOPIC: Topsoil

PROBLEM/POSSIBLE VIOLATION: Problem: During the inspection, it was discovered that there is inadequate topsoil to complete the approved reclamation at the site. This is a problem related to C.R.S. 34-32.5-116(4)(i) for failure to follow the reclamation plan prescribed in the permit. The site has very limited topsoil and much of it was observed co-mingled with rock or not salvaged in an appropriate stockpile

CORRECTIVE ACTIONS: The operator shall submit a technical revision to the permit (with the required \$216 fee) identifying the source of the additional topsoil required to reclaim the site in accordance with the approved reclamation plan by the corrective action date. Additional financial warranty may be required for the importation of off-site topsoil.

CORRECTIVE ACTION DUE DATE: 10/30/15

OBSERVATIONS

This inspection was performed as part of the normal monitoring program for the Colorado Division of Reclamation, Mining, and Safety (Division). Inspector Russ Means and Amy Yeldell met C&B Sand and Gravel representatives Sean and Krissa Corson on site.

The site is located approximately 6.5 miles southwest of Savery, WY on Moffat County Road 1. The Sheehan Pit is a 110c with 8.14 acres permitted for gravel and stone. The site is active with stone being removed for a reported river fish habitat improvement project on the Slate River. No work was being performed at the time of the inspection. Rock is being pushed down gradient from working benches to a level just above the county road. Three excavators and a loader were observed on site parked with an excavator staged in the work area above. A crusher is set up which dumps material down to the final load-out area. Load-out space is tight, but the operator is doing a very good job of keeping the area clean. As a reminder all loading should be done within the permitted boundaries as spelled out in the mine plan, activities appear to be close to or on the road itself which is outside the permit boundaries.

The mine identification sign and affected area boundary markers were not observed per the requirements of Rule 3.1.12. The pit name on the sign is incorrect for the approved permit and no visible markers could be observed particularly along the west highwall side. The operator must post a correct sign at the entrance to the mine site which shall be clearly visible from the access road and specify the following; the name of the operator, indicate that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, site name and the permit number. The boundaries of the affected area as approved in the original mine plan submittal must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries. Please supply the Division with photo-documentation of the correct sign and markers by the corrective date noted. This issue has been listed as a problem with a corrective action and date. Failure to correct the problem may lead to a possible violation instead listing as a problem.

During the inspection it was discovered that there is inadequate topsoil to complete the approved reclamation at the site. The site has very limited topsoil that must be protected as much as possible. Much of the topsoil was observed commingled with rock or not salvaged in an appropriate stockpile. This is a problem related to C.R.S. 34-32.5-116(4)(i) for failure to follow the reclamation plan prescribed in the permit. This issue has been listed as a problem with a corrective action and date. Failure to correct the problem may lead to a possible violation instead listing as a problem. The corrective action date has been set to be incorporated into the upcoming possible amendment.

Improper storage and containment of fuels and/or other hazardous materials was present on site. Numerous used oil 5 gallon buckets and a 55 gallon drum were observed not in proper secondary containment around a tuff shed. All storage tanks and used containers for petroleum and any hazardous materials on site for any period of time shall have appropriate secondary containment. Also evidence of a hydraulic leak or fuel spill was observed. Proper clean up of such spills is required and the operator is advised to remove the contaminated soil as quickly as possible. Please supply photo documentation that any fuel or hazardous materials containers are stored properly - including applicable secondary containment structures by the corrective action date. Note that secondary containment structures shall consist of an impermeable containment which could contain all contents of the tanks and various containers (when full) plus 10% of the total capacity. The operator may also provide photo documentation that all containers and clean up have been removed from the site on or before the corrective action date. This issue has been listed as a problem with a corrective action and date. Failure to correct the problem may lead to a possible violation instead listing as a problem.

There are several issues with the current mining activities on site that do not match the approved mining plan.

- 1) The Mining Plan Exhibit, 6.3.3(p) is not addressed in the original permit. Evidence of blasting activities were noted and confirmed by the operator representative. Spent detonation cord, a drill hole, and loaded hole packing (pea gravel) were observed at the site. As part of a possible upcoming amendment or through Technical Revision supply the Division with proper documentation to meet Rule 6.5(4) for the Geotechnical Stability.
- 2) The Mining Plan Exhibit, 6.3.3(e) specifically notes "There are no shop, office or maintenance buildings presently on site or proposed." The inspectors noted a storage shed on site that must be accounted for in the mine plan. Either through a Technical Revision or amendment to the mine plan the shed must be accounted for.
- 3) The Mining Plan Exhibit, 6.3.3(f) states "There will be no benching or impoundments. Observations on site clearly show that the mining is progressing in a bench method which now must be addressed in the Mining and Reclamation Plans.

These issues have been listed as a problem with a corrective action and date. Failure to correct the problem may lead to a possible violation instead listing as a problem. The corrective action date has been set to be incorporated into the upcoming possible amendment.

The inspectors noted stockpiles of materials located approximately 0.25 miles away in a fenced off area. GPS measurements show the total area of disturbance to be 0.62 acres of disturbance. Stockpiled materials clearly matched the material being mined at the permitted site. C&B Gravel representatives stated the stockpiles were part of the mining operation and that there had been discussions of the land owner buying the materials but at this time that is not the case. Also a loader tire and metal machine braces were observed on the east side of the road clearly outside of the permit area. These must be moved into the permitted area or disposed of properly. Therefore, land has been affected outside of the approved permit boundary. Land has been affected outside of the approved permit boundary. This is a possible violation at this time pursuant to: C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the affected land from slides or damages occurring during the mining operation.

The financial warranty will be reviewed with either a technical revision or amendment. At this time it appears the bond may be insufficient to reclaim the site because the approved mining plan is not being followed which affects the reclamation liabilities.

Based on the inspection the Division believes there is a violation of CRS§34-32.5 -116(4)(i) for failure to protect areas outside of the affected land from slides or damages occurring during the mining operation. A separate "Reason to Believe a Violation" Letter is being sent certified mail to the operator with a hearing date of August 26, 2015.

Responses to this inspection report should be directed to Russ Means at the Division of Reclamation, Mining, and Safety, Grand Junction Field Office, phone no. 970-241-1117, or by e-mail: russ.means@state.co.us. All correspondence should be sent to the Denver Main Office at 1313 Sherman, Room 215, Denver Colorado, 80203, and Attention: Russ Means

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

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

Inspection Contact Address

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