



**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> Lamar Pit	<b>MINE/PROSPECTING ID#:</b> M-1987-079	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Prowers
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Amy Eschberger	<b>INSP. DATE:</b> January 22, 2015	<b>INSP. TIME:</b> 09:00
<b>OPERATOR:</b> ALL-RITE PAVING & REDI-MIX, INC.	<b>OPERATOR REPRESENTATIVE:</b> Jeff Flynn	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$48,050.00
<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> <i>Amy Eschberger</i>	<b>SIGNATURE DATE:</b> July 27, 2015

**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>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>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>Y</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>Y</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>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>Y</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 a normal monitoring inspection of the Lamar Pit (Permit No. M-1987-079) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). Mr. Jeff Flynn represented the operator, All-Rite Paving & Redi-Mix, Inc. during the inspection. The site is located approximately 0.5 mile north of Lamar, CO, west of Hwy 50/Hwy 287. The site is situated on a low, broad alluvial terrace formed by the Arkansas River. The affected land is owned by John P. Ary and Prowers County. The site can be accessed from the north by a gated entrance off of Speculator Avenue. The approved post-mining land use is industrial/commercial and rangeland.

This is a 112c operation permitted for 39.30 acres to wet mine sand and gravel to a maximum depth of approximately 35 feet using a small dragline. The approved mining plan divides the site into two mining phases in the western portion of the permit area (Phase I = 16 acres, Phase II = 9.5 acres), and an industrial yard/processing and stockpiling area in the eastern portion of the permit area. Mining began in Phase I which is located in the southwestern portion of the site. Phase II is located in the northwestern portion of the permit area, and is separated from Phase I by a buried natural gas pipeline owned by Greeley Gas Company. The industrial area in the eastern portion of the site includes an office and maintenance facilities, a permanent ready-mix concrete plant, an asphalt plant, and a yard used for material stockpiling and equipment storage. Material stockpiled in the industrial area is imported from other sources. Residual concrete from mixer trucks is cleaned out and used to backfill the pond created from mining. In Technical Revision No.1 (TR-01, approved 11/05/2010), the operator committed to allowing concrete used as structural fill to harden for 60 days prior to being placed in the pond.

At the time of the inspection, the weather was clear and cold, and the ground was covered by snow. A permit sign was posted at the main site entrance off of Speculator Avenue (**Photo 1**). The permit boundary was properly delineated by metal posts (**Photo 2**). Only the industrial yard was active during the inspection (**Photos 3-6**). Several material stockpiles of various sizes and shapes are stored in this area; however, none of this material came from this operation. It appears that this site has not been actively mined in many years. Phase I was mined first, leaving a pond with a surface area of approximately 3.71 acres (**Photos 7-10**). Phase II has not yet been mined (**Photos 11 and 12**). This area is vegetated with native grasses and trees, and a dirt road traverses the site. It appears that topsoil is stockpiled southeast and north of the pond. The snow cover made it difficult to estimate topsoil volumes. The operator should be careful not to cover the topsoil stored south of the pond with concrete rubble.

During the inspection, Mr. Flynn indicated the operator is uncertain whether they will ever mine Phase II. The Division informed Mr. Flynn that if mining activities (e.g., extracting, processing, and/or hauling off of material) associated with this site do not occur every year as required by its intermittent status, then the operator will need to either begin final reclamation of the site or file for Temporary Cessation (TC; form enclosed). If mining is expected to continue in the future, then filing for TC would allow for a 5-year period of inactivity. The Division recommends that this issue be followed up in the next inspection. If, by that time, the operator has not continued mining activities, filed for TC, or completed final reclamation (approved reclamation plan and map enclosed), then the Division may cite a Possible Violation for failure to complete final reclamation in a timely fashion as required by CRS 34-32.5-116(4)(q)(I).

The Division estimates current disturbance to consist of approximately 25 acres (see enclosed Google Earth image of site), of which, approximately 15 acres is being used for industrial purposes and equipment storage, and approximately 3.71 acres is pond surface. According to the Colorado Division of Water Resources, this site is augmented under the Lower Arkansas Water Management Association (LAWMA) for up to 3.80 acres of exposed groundwater (see enclosed LAWMA table). Therefore, this site appears to be in compliance with the

amount of exposed groundwater at this time. Currently, the pond banks have slope gradients of approximately 2H:1V to 2.5H:1V. The southern, eastern, and western pond banks are lined with concrete rubble produced from the industrial yard, as allowed in the approved mining and reclamation plans (see **Photos 7-10**). These banks appeared to be stable at the time of the inspection. Water is pumped from the pond for use in the gravel wash plant (located in the industrial yard) and then recycled back to the pond. This technique eliminates a discharge from the pond.

The approved reclamation plan calls for leaving a 13.8 acre industrial/commercial area in the eastern portion of the site. In the western portion of the site that was mined, the pond banks will be graded to 3H:1V slopes, and disturbed land adjacent to the pond will be retopsoiled at a minimum depth of 6 inches, and revegetated to rangeland. At this time, reclamation of the site would include grading the pond banks to 3H:1V, and retopsoiling and revegetating approximately 7.5 acres (25 acres disturbed – 13.8 acres industrial – 3.71 acres pond) of disturbed land. The Division has determined that the current bond amount of \$48,050.00 is adequate to reclaim the site in accordance with the approved reclamation plan.

## PHOTOGRAPHS



**Photo 1.** View of permit sign posted at main site entrance off of Speculator Ave.



**Photo 2.** View of metal post marking southern permit boundary.





**Photo 3.** View of equipment stored in northwestern portion of industrial yard.



**Photo 4.** View looking south across central portion of industrial yard, showing various material stockpiles not associated with mining of this site.





**Photo 5.** View of trucks and equipment stored in western portion of industrial yard, not associated with mining of this site.



**Photo 6.** View looking east across southwestern portion of industrial yard, showing various material stockpiles not associated with mining of this site. The asphalt batch plant is barely shown in the background.





**Photo 7.** View looking across eastern portion of pond created by the operation many years ago. Note concrete rubble being used to backfill pond slopes, as allowed by approved plans.



**Photo 8.** View looking across central portion of pond created by the operation many years ago. Note concrete rubble being used to backfill pond slopes, as allowed by approved plans.





**Photo 9.** View looking across western portion of pond created by the operation many years ago. Note concrete rubble being used to backfill pond slopes, as allowed by approved plans.



**Photo 10.** View looking northeast from southwestern edge of pond, showing concrete rubble lined bank with approximate 2.5H:1V slope gradients.





**Photo 11.** View looking south across northwestern portion of permit area (Phase II) not yet mined by this operation.



**Photo 12.** View looking northeast across northwestern portion of permit area (Phase II) not yet mined by this operation. Note dirt road traversing this area (at center).

**Inspection Contact Address**

Jeff Flynn  
ALL-RITE PAVING & REDI-MIX, INC.  
P.O. Box 1714  
Lamar, CO 81052

Enclosure(s): Notice of Temporary Cessation form  
Approved Reclamation Plan and Map  
Google Earth image of site with Division markings  
LAWMA Table 4 – Surface area for gravel pits

CC: John Paul Ary  
ALL-RITE PAVING & REDI-MIX, INC.  
P.O. Box 165  
Canon City, CO 81215





# COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 Phone (303) 866-3567

## TEMPORARY CESSATION NOTICE

(mining activities temporarily cease for more than a one-year period)

Today's date: \_\_\_\_\_

Permit number: M- \_\_\_\_\_ Site name: \_\_\_\_\_

County: \_\_\_\_\_ TC number: \_\_\_\_\_ (DRMS use only)

Permittee making request: \_\_\_\_\_

Operator (if other than permittee): \_\_\_\_\_

Date the initial five-year period of Temporary Cessation begins: \_\_\_\_\_

Reason mining activities (materials extraction, processing, hauling) have ceased:

\_\_\_\_\_  
\_\_\_\_\_

Description of plan to resume operations:

\_\_\_\_\_  
\_\_\_\_\_

Description of plan to meet performance standards of Rule 3.1 during temporary cessation (reclamation, weed control, monitoring, signs, markers, etc.):

\_\_\_\_\_  
\_\_\_\_\_

Number of affected acres: \_\_\_\_\_

Amount of financial warranty (bond) on deposit with the state: \$ \_\_\_\_\_

Required fees for Temporary Cessation by permit type (please mark the correct fee and submit it with this request for Temporary Cessation):

<u>Permit type</u>	<u>Required TR fee</u>	<u>Submitted</u> (mark only one)
Construction Materials	\$144	<input type="checkbox"/>
Hard Rock/ Metal Mining	\$115	<input type="checkbox"/>

**The above-referenced permit has entered Temporary Cessation. This site has reserves remaining to be mined.**

**Operator's signature:** \_\_\_\_\_

*Please note:*

- 1. While in Temporary Cessation, the operator must continue to comply with the Rules and Act, including maintaining the site, and must continue to file an annual report and annual fee.*

### Exhibit E - Reclamation Plan

The postmining land uses will be as follows:

1. It is planned that two ponds totalling about 12 acres in area will be created. Pond I will be about 7.4 acres in size. Pond II will be about 4.6 acres in size. The area of the ponds themselves will be used by wildlife. At the discretion of the landowner, the ponds may also be stocked and used for fishing.
2. The dry portions of the mining area, about 9.5 acres immediately adjacent to the ponds, will be revegetated and used for limited rangeland purposes.
3. The existing industrial area, about 13.8 acres east of the mining area, will continue to be used for the manufacture of concrete, asphalt, stockpiling, etc. as addressed at the April 1994 meeting of the MLRB.

The final planned configuration of the area is illustrated on the Exhibit F map included herein.

#### Site Clean Up

Any debris and trash remaining on site of the mining area will be cleaned up and hauled to the public landfill.

#### Slope Grading

The side slopes around the ponds will be graded to no steeper than 2:1, except from 5 feet above to 10 feet below the expected water line where slopes shall not be steeper than 3:1. Any concrete exposed around the shore of the ponds will be covered by two to three feet of cover.

Very little, if any, grading will be required on the surface areas surrounding the pond. The final surface configuration of the lands surrounding the pond, except the side slopes as described above, will be virtually identical to the existing surface slopes and require little, if



any, minor smooth grading.

#### Soil Replacement

Soil salvaged and stockpiled will be used for replacement on disturbed areas around the ponds above the water line and other disturbed portions of the mining area. The depth of soil to be replaced these disturbed areas will range from about 5 to 10 inches.

#### Seed Bed Preparation

Prior to reseeding, areas to be seeded will be disced to a depth of 6 to 12 inches in order to provide for an adequate seed bed. Chemical fertilizer, as specified below, will be worked into the soil during seed bed preparation.

#### Seed Mixture and Seeding Rates

The areas where soil is replaced, as addressed above, will be seeded with the mixture appearing below. This mixture has been previously approved by the MLRB and incorporates the revision requested by the Division staff during review of the application. Seeding rates are based on a density for critical area plantings of 40 pure live seeds (PLS) per square foot (drilled rate). For guidance in purchasing seed, a bulk rate is also given with the appropriate pure live seed rate incorporated into the calculations.

#### RECLAMATION SEED MIXTURE

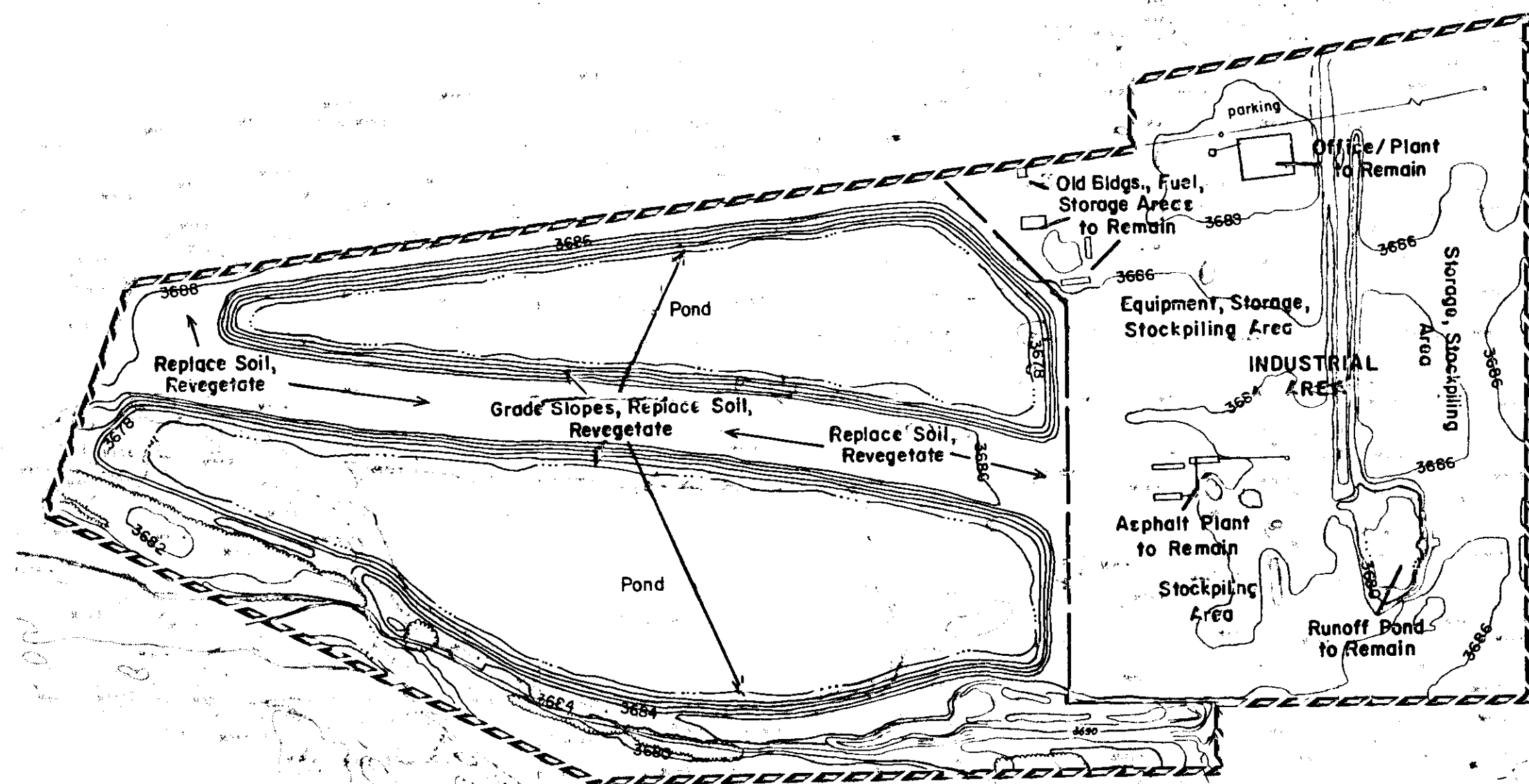
<u>Grass Species</u>	<u>% of Mix</u>	<u>Drilled Rate</u>	
		<u>Pounds</u> <u>PLS/Ac.</u>	<u>Bulk Pounds</u> <u>To Purchase</u>
Western Wheatgrass	25	4.0	6.1
Switchgrass	25	1.1	1.6
Sand Dropseed	25	0.1	0.1
Blue Grama	15	0.3	0.9
Alkali Sacaton	<u>10</u>	<u>0.1</u>	<u>0.15</u>
Total	100	5.6	8.9

<u>Shrub Species</u>	<u>Drilled Rate</u> <u>Pounds PLS/Ac.</u>
Rubber Rabbitbrush	0.19
Skunkbush Sumac	0.87

#### Cultural Practices

- If broadcast seeded, the seeding rate will be doubled. The seed will be harrowed in or covered with a drag chain or similar measure in order to give approximately 1/2 inch of soil cover.
- Seeding will occur during the late fall or early spring (from about early-November to April) in order to take advantage of available soil moisture conditions during the spring.
- Fertilizer will be applied at a rate of 40 lbs./ac. available nitrogen, and 40 lbs./ac. available phosphate and worked into the soil during seed bed preparation.
- Hay mulch will be applied at a rate of approximately 1-2 tons/acre, and mechanically crimped to anchor it against blowing.





Note: shaded areas illustrate the topography of the site and adjacent areas on 3/17/94. Heavy lines within the permit area represent the planned post mining configuration.

200' 100' 0 200'



CONTOUR INTERVAL: 2'

----- Permit Area

- Shrubs, Trees
- Pond
- Roads
- Overhead Power Line
- Building, Structure

#### Reclamation Plan

- Gravel Pit Area: Grade side slopes of excavated area, replace soil, revegetate. For other disturbance adjacent to ponds: minor smooth grading, replace soil, revegetate.
- Industrial Area: Area shown will continue to be used for the manufacture of concrete and asphalt following reclamation of the pit. Aggregate to be used will continue to be imported from other sources.

- Refer to Exhibit E for Details of the Reclamation Plan.

Permit Number M-1987-019  
 Class: ☐ Permit ☐ Revision  
 Section/Exhibit: CN-001 Ex F  
 Type/Seq: Report ☐ Hydro ☐ General  
 Doc. Type: ☐ Application (Coal only) ☐ Bond ☐ Enforcement ☐ Inspection

Exhibit F

RECLAMATION PLAN MAP

19463

All Rite Paving and Ready-Mix, Inc.

— Lamar Pit —

DATE: 4/94

1" = 200'

BY: mds

Sec. 30, T. 22 S., R. 46 W., Prowers County

RECEIVED  
JUN 24 1994

Division of Minerals & Geology



# M1987-079 / Lamar Pit / All-Rite Paving & Redi-Mix, Inc.

Red Line = 39.3 acres = Approved Permit Area  
Green Line = 24.8 acres = Disturbed Area (as of 01/22/15 inspection)  
Blue Line = 3.71 acres = Pond Surface Area





**Table 4 - Surface Area For Gravel Pits Listed In Table 1**

(sorted by Structure ID)

**LOWER ARKANSAS WATER MANAGEMENT ASSOCIATION**

Structure ID	Name	Surface Area (acres)
1706490	Bent County Ready-Mix (M-95-7)	2.00
>>> 6705999	All Rite Paving & Redi-Mix, Inc. (M-87-79)	3.80 <<<
6706357	Powers County (M-97-16)	2.43
6706362	Carder, Inc. (J-S Farms Pit) (M-96-46)	29.22
6706366	Carder, Inc. (Hard Scrabble Pit) (M-98-46)	47.57
6706388	Eastern Colorado Aggregates, LLLP (M-01-41)	4.00
6706389	Ritchie Paving, Inc. (Fletcher Pit) (M-02072)	0.00
6706383	Carder Inc. S-C Farms Pit (M-92-076)	59.59
6706410	Carder Inc. Tamarack Pit (M-01066)	0.83
- - -	Carder Inc. Butte Creek Pit	0.00
- - -	Midwestern Farms Resources (M-93-59)	98.40

Notes:

- Gravel pit surface area based on pits sizes from 2013 aerial photography.
- The Carder Inc. S-C Farms Pit (M-92-076, SEO Id No. 6706383) first 20 acres of surface area are augmented in Case No. 94CW037.