




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: J & J Pit	MINE/PROSPECTING ID#: M-1985-001	MINERAL: Sand and gravel	COUNTY: La Plata
INSPECTION TYPE: Monitoring	INSPECTOR(S): Lucas J. West	INSP. DATE: August 10, 2015	INSP. TIME: 12:45
OPERATOR: Glacier Gravel Products	OPERATOR REPRESENTATIVE: Landowner and Operating Company	TYPE OF OPERATION: 110c - Construction Limited Impact	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Separate Cover	BOND AMOUNT: \$8,457.58	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: August 18, 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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing or incorrectly placed due to inadequate mapping during the original permitting process. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 11/09/15

OBSERVATIONS

This inspection was conducted as part of the normal monitoring program established by the Colorado Division of Reclamation, Mining and Safety. The permit holder, Jim Helmericks, as well as on site contractor representatives Deb Koenig, Jay Nielson, Mary Ann Alexander and Daryl Couch of Crossfire Aggregate Services LLC. were present during the inspection.

The J & J Pit is an active 110c gravel operation located two miles South of Durango. The site is accessed by Colorado State Highway 3 near Alpine Auto Doctors. The operation consists of 9 permitted acres with approximately 8 acres of affected lands observed. The permit is held by the landowner, Jim Helmericks, but is contracted to Crossfire Aggregate Services LLC. to conduct mining operations. The site was active during the time of the inspection. Trucks, conveyors and loaders were observed on site as seen in photo Two. The Division currently holds \$8457.58 in financial warranty for the site. Five photos accompany this report to illustrate the current conditions of the site.

Proper signage was observed at the entrance to the site, as seen in Photo One. Permit boundary markers were not observed as required however. Due to inadequate and vague mapping during the original permitting and in the subsequent annual reports the actual permit boundaries are unclear. According to original maps and legal description in the permit application, when compared to the included maps prepared by the Division, the permit acreage totals approximately 5.6 acres. The permit boundaries as it was described to the Division by the permit holder during this inspection totals approximately 10.7 acres. The original permit was approved for 9.00 acres but is not to exceed ten acres in size according to Title 34 Article 32.5 Section 110 of the Colorado Land Reclamation Act for the Extraction of Construction Materials. No revisions or amendments to the original permit have occurred, making the original permit boundaries and maximum allowed disturbance of 9 acres still applicable. This discrepancy must be addressed by the permit holder to avoid potential violations and board enforcement.

The current actual disturbance measured by the Division is just over 8 acres. The permit boundaries and lack of markers is noted as a problem. The corrective action to the problem is: The permit holder is required to submit to the Division a site survey and map in compliance with the requirements outlined in Rule 6.2.1 (2)(a-e) to reflect the current actual disturbance. The surveyed areas will provide an accurate quantification of the disturbed acreage and delineate the approved permit boundaries of 9 acres. Appropriate boundary markers shall be installed to clearly define the surveyed boundaries. **Failure to provide accurate boundary markers and maps is being cited as a problem with a compliance date of November 09, 2015.**

Should the actual disturbed acreage exceed the rules pertaining to a Limited Impact Operation (110c) of 9.9 acres or less, the permit holder will be in violation of the Act and will be required to convert the current 110c permit to a 112 permit. Failure to complete these tasks by the compliance date could result in the cited problem being modified to a violation of the Colorado Land Reclamation Act for the Extraction of Construction Materials and the matter being scheduled before the Mined Land Reclamation Board for possible enforcement action. **The Division strongly recommends that neither the permit holder nor his contractor expand the current footprint of the mine until the boundary and acreage issue is resolved, as that could alter the affected acreage further and create a possible violation.**

Similarly, there are questions regarding the Northern permit boundary. The Northern permit boundary is

advancing towards a utility line and its related two power poles owned by La Plata County Electric Association. The highwall is currently approximately 15 feet from the base of the power poles, as seen in Photos Three and Four. The contractor on site has raised concerns about the lack of a right of way agreement with The Plata County Electric Association as well as stability and safety concerns from mining to close to the poles. The permit holder disagrees. Due to the unclear permit boundary issue and no markers there is also concern that the area is in fact not included in the approved permit boundaries. If the area is outside the permit boundaries any mining activity would be a violation of the permit. **It is strongly recommended that neither the permit holder nor the contractor advance the Northern highwall further until the required surveying mentioned above is completed and accepted by the Division to ensure the area is within the permit boundaries and proper evaluation of the impacts from excavations to nearby power poles are addressed.**

If the utility lines are found to be inside the permit boundaries the permit holder will be required to submit a Technical Revision which demonstrates compliance with Rule 6.3.12- Exhibit L- Permanent Man Made structures prior to any further excavations in this area. The permit holder assumes all liability and responsibilities if the Divisions recommendation of no further excavations in this area is not followed.

Overall the footprint of the site was in good condition, with no visible excess trash and debris associated with the mine. Scotch thistle was observed along the northern boundary, as seen in Photos Four and Five. The area is considered a sink for these weeds not a source as the entire region is being heavily infested this year. The weeds were marked for fall treatment by the contractor and no other state listed noxious weeds were observed on site.

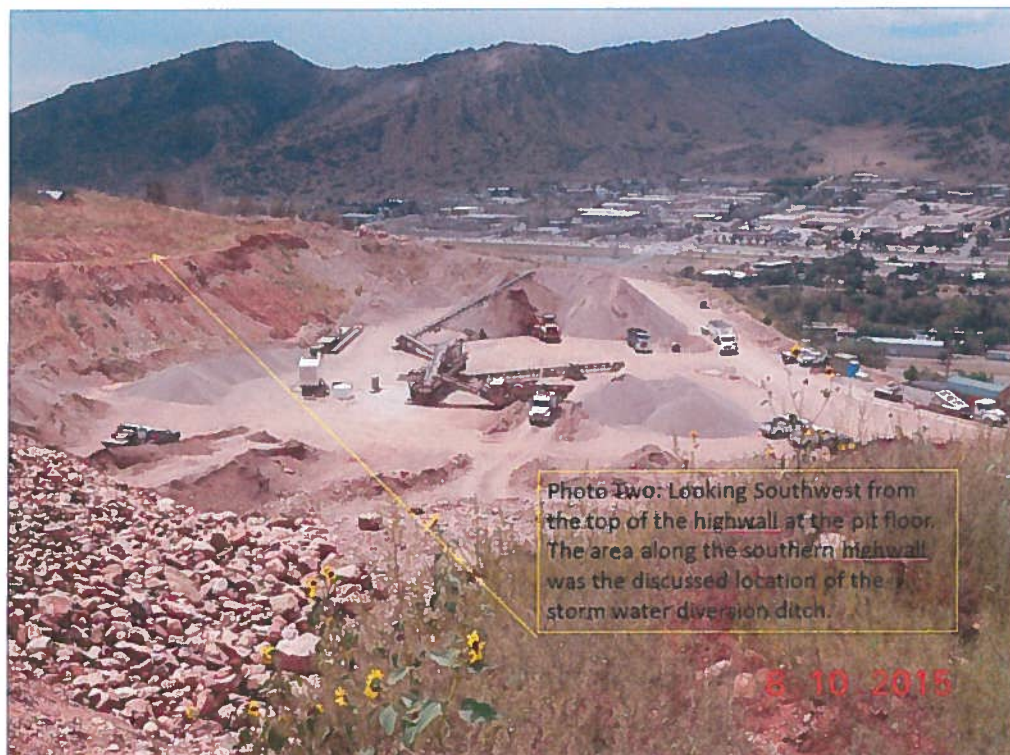
The site exhibits positive drainage with no significant erosion features. One area along the southern bench of the highwall was showing signs of slight erosion as noted in Photo 2. The Division and the contractor discussed the possibility of installing a storm water diversion ditch along the bench to divert water away from the highwall. The diversion ditch is encouraged as such structures are included in site maintenance and do not require a Technical Revision.

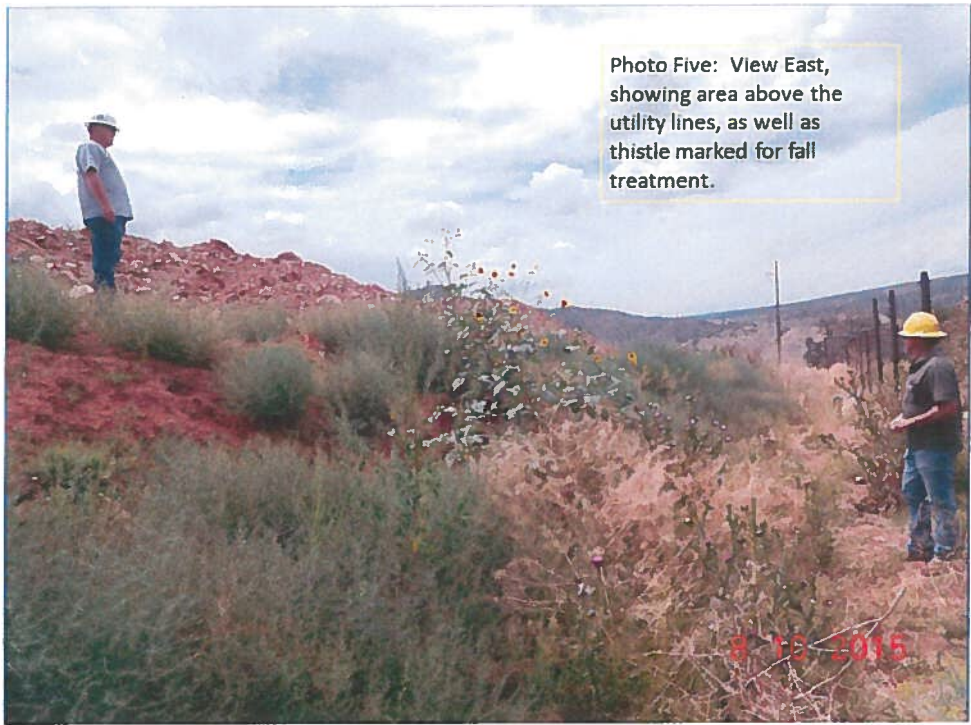
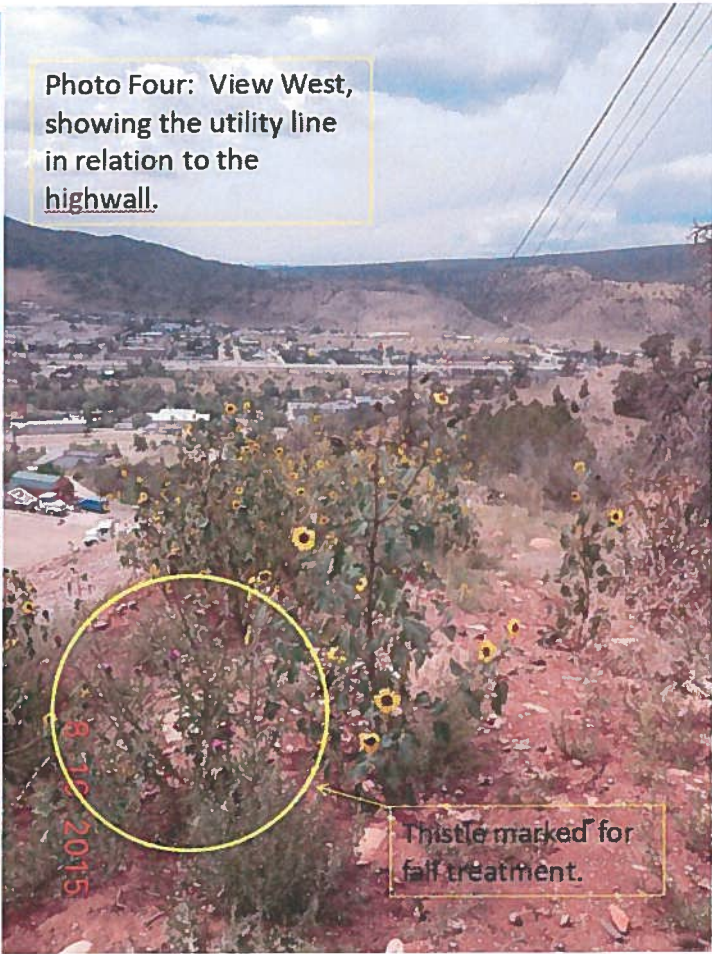
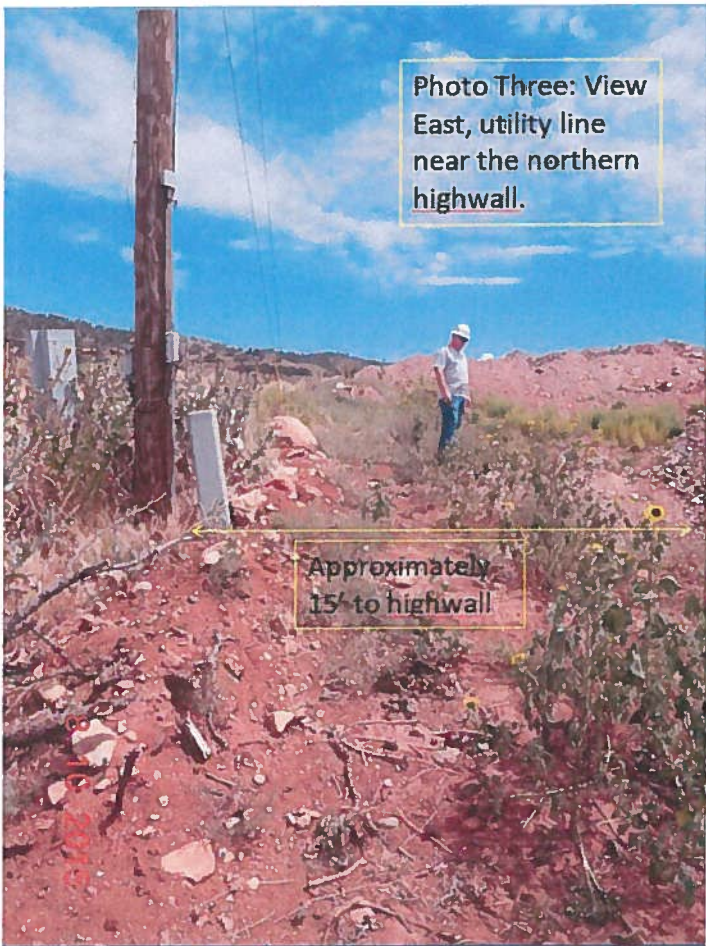
The Division will be recalculating the reclamation bond according to the current site conditions as of this inspection. The bond calculation will be sent to the permit holder under a separate cover.

A follow up inspection will be scheduled to further address the above referenced issues on site with the permit holder and the contractor.

Responses to this inspection report should be directed to Lucas West at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Denver, CO 80203.

PHOTOGRAPHS





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>NA</u>	(BG) BACKFILL & GRADING-----	<u>N</u>	(EX) EXPLOSIVES-----	<u>NA</u>
(PW) PROCESSING WASTE/TAILING----	<u>Y</u>	(SF) PROCESSING FACILITIES-----	<u>Y</u>	(TS) TOPSOIL-----	<u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE-	<u>Y</u>	(FW) FISH & WILDLIFE-----	<u>Y</u>	(RV) REVEGETATION----	<u>N</u>
(SM) SIGNS AND MARKERS-----	<u>PB</u>	(SW) STORM WATER MGT PLAN----	<u>N</u>	(CI) 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>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

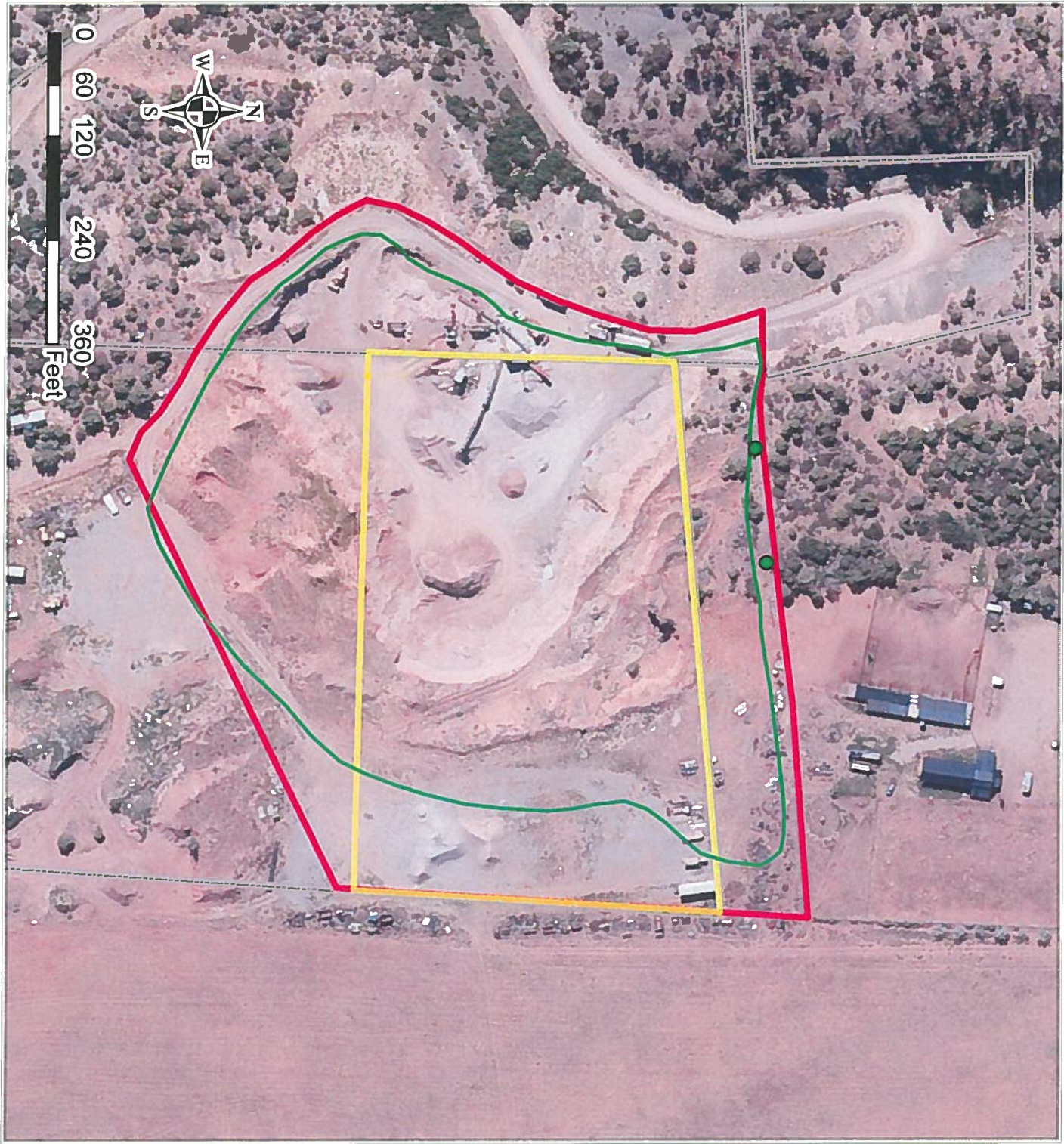
Inspection Contact Address

Jim Helmericks
Glacier Gravel Products
995 Hwy 3
Durango, CO 81301

Enclosure

EC: Deb Koenig, Crossfire Aggregate Services, LLC.
Jay Nielson, Crossfire Aggregate Services LLC.
Leslie Jakoby, La Plata County
Victoria Schmitt, La Plata County
Phillip Supino, City of Durango Planning Department
Randy Ferris, La Plata County Electric Association

M-1985-001 J&J (Helmricks) Pit



Description

Powerpoles



Approximate Actual Disturbance

8.41 Acres

Original Permit Boundary

5.6 Acres

Described Permit Boundary

10.7 Acres

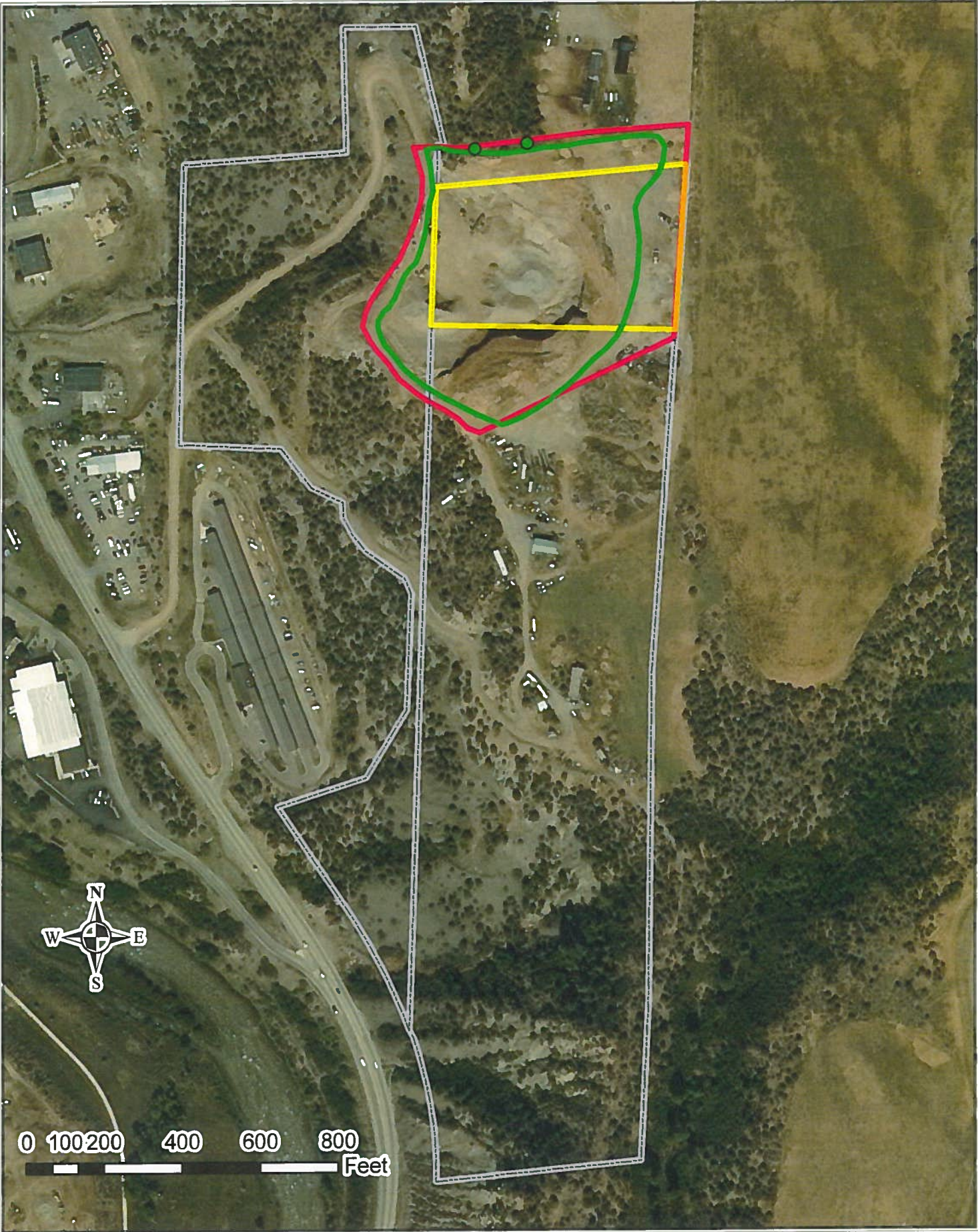


COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

All Permit Boundaries and locations are approximate, as no data exists from original permit file. Parcel data acquired from the La Plata County Assessor. All data displayed in NAD 1983 State Plane.

Prepared By: Lucas J West
Division of Reclamation,
Mining and Safety
Environmental Protection
Specialist
August 13, 2015

M-1985-001 J&J (Helmricks) Pit



Description

Powerpoles



Approximate Actual Disturbance



8.41 Acres

Original Permit Boundary



5.6 Acres

Described Permit Boundary



10.7 Acres

Helmricks Property Boundary



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