




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: McKenzie Pit	MINE/PROSPECTING ID#: M-1980-224	MINERAL: Sand and gravel	COUNTY: Fremont
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy A. Cazier	INSP. DATE: September 30, 2015	INSP. TIME: 11:05
OPERATOR: Fremont Paving & Redi-Mix, Inc.	OPERATOR REPRESENTATIVE: John Paul Ary & Jodi Ricker	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$58,241.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 30, 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 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 both the entrances 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 signs have been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: 1/29/16

OBSERVATIONS

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This inspection was conducted as part of the regular monitoring program. The Operator (Fremont Paving & Redi-Mix, Inc.) was represented by Mr. John Paul Ary & Ms. Jodi Ricker who were present for the inspection.

The McKenzie Pit site access road entrance is located off Hwy 115 at Santa Fe Drive approximately 2.5 miles southeast of Cañon City. This is a 112c gravel mine. The mine was not active at the time of the inspection.

Inspection:

Markers & Boundary – A permit sign was not displayed at either site entrance (see **Photos 1** and **2**). This is **cited as a problem on page 1 of this report**. Boundaries appeared to be adequately marked with T-posts and fences (see **Photos 3** and **4**).

Mining Plan – Working highwalls appeared to vary between near vertical and 1H:1V. were observed to be near vertical. The approved mine plan is unclear as to the required slope for highwalls. However, Exhibit E in Amendment 2 states “Slopes will be maintained at a 3:1 grade or gentler during mining”. We discussed the uncertainty in the mining and reclamation plans on file with the Division. The Operator agreed to submit a Technical Revision (TR) to clarify the mine and reclamation plans.

Structures – Mr. Ary indicated a cellular antenna is near the active area of the pit. Also, Amendment 2 also states “A 50 foot setback will be maintained around the private residence located in the west central area of the site”. The Operator should make sure they have current structure damage agreements with the owners of both these structures.

Reclamation – A topsoil stockpile was observed on the upgradient side of the highwall (see **Photo 4**). Mr. Ary indicated interim reclaimed slopes would be at 4H:1V and seeded. It was agreed that this would be clarified in the aforementioned TR.

Environmental – No problems with contaminant spills, erosion/sedimentation or noxious weeds were observed.

Records:

- Revisions: Amendment 1 (AM-01) in April 1986; Amendment 2 (AM-02) in April 2010 to change the post mine land use to industrial and remove 30.46 acres reclaimed as industrial/commercial from the permit; Technical Revision (TR-01) was submitted subsequent to this inspection to clarify the mining and reclamation plans. A surety reduction (SR-01) has been submitted to the Division and is under review; and a permit transfer (SO-01) in 1983.
- Commitments/Stipulations: None.
- Other Records
 - a) The total permitted area is 32.78 acres with a maximum allowed affected area of 24.78 acres.
 - b) The previous inspection was performed on 1/22/2010. A problem was cited for “A small amount of water was noted detained along the west side of the shop area, from shallow GW water flow” and was resolved.
 - c) The anniversary date is October 27. Annual reports and fees are current through 2015.

d) The post-mine land use is industrial.

Bond:

The Division holds a \$58, 241 bond which is currently under review for a reduction (SR-01)

Summary and Recommendations:

1. The Operator must post permit signs at both entrances (Santa Fe Drive at Hwy 115 and MacKenzie Ave.) and submit photographic evidence of having done so by the corrective action due date.
2. The Operator should check their records to be sure structure damage agreements are current for all structures within 200 feet of the permit boundary.

Please contact Tim Cazier (303-866-3567, ext. 8169) if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. MacKenzie Ave. site entrance without Permit identification sign.

PHOTOGRAPHS (cont.)



Photo 2. Hwy 115 site entrance without Permit identification sign.



Photo 3. T-post affected area boundary marker on west side of the pit (west side looking NW).

PHOTOGRAPHS (cont.)



Photo 4. Affected area boundary fencing in south center area (south side looking north).



Photo 5. Topsoil stockpile (looking south).

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>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(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>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SW) STORM WATER MGT PLAN---- <u>Y</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>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

John Paul Ary
Fremont Paving & Redi-Mix, Inc.
839 MacKenzie Ave.
Cañon City, CO 81212

EC: Wally Erickson, DRMS
DRMS file