




**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> Toltec No 2	<b>MINE/PROSPECTING ID#:</b> M-1984-039	<b>MINERAL:</b> Silver, gold, copper,	<b>COUNTY:</b> San Juan
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Lucas J. West, Russ Means	<b>INSP. DATE:</b> June 29, 2016	<b>INSP. TIME:</b> 12:40
<b>OPERATOR:</b> Wilbur F Benham	<b>OPERATOR REPRESENTATIVE:</b> None	<b>TYPE OF OPERATION:</b> 110(2) - Hard Rock Limited Impact	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$3,000.00	
<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> July 18, 2016	

**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>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(CI) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</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

## **OBSERVATIONS**

This inspection was conducted as part of the normal monitoring program established by the Colorado Division of Reclamation, Mining and Safety. The Toltec No. 2 is listed as an active 110(2) operation that is currently under a cease and desist order from the Mined Land Reclamation Board. The site is located approximately seven miles east of Silverton, CO at around 11,800 feet in Elevation. The site consists of eight permitted acres located on County Road 9. Access to the site is not controlled by any means. The Division currently holds \$3,000.00 of the required \$4,116.00 Financial Warranty. The additional \$1,116.00 of the Financial Warranty is to be received and accepted by the Division no later than August 1, 2016. Once the full \$4,116.00 is in place the Financial Warranty will be sufficient to achieve reclamation. Four Photos accompany this report to illustrate current site conditions.

The site was not active during the inspection and no equipment was observed on site. No proper mine identification sign was posted, however a "No Trespassing" sign was observed. The condition of the site has remained unchanged from the Division's previous inspection dated October 2016. The operator suffered an injury during the last mining season and no activity has taken place since. Photo One shows the main area of activity that is the rock face where ore is blasted from and sorted into the stockpiles on site. The stockpiles were noted to be in the same condition as the previous inspection as well. Photos Two, Three and Four show the various stockpiles. The site appears to be stable, exhibits positive drainage and is free from trash and debris. No Noxious weeds were noted during this inspection. No new problems or possible violations were observed at this time.

The site is currently under a Cease and Desist Order that was issued as part of MV-2016-008 Board Order issued on March 3, 2016. The operator has complied with the corrective actions of filing and gaining approval of a Technical Revision to the mining and reclamation plans. A 30-day extension request was approved by the Mined Land Reclamation Board allowing the operator until August 1, 2016 to post the additional required financial warranty that was a result of the Technical Revision. Ongoing contact with the operator indicates that compliance will be reached prior to the compliance date. The division reminds the operator that no activity can take place on site until the financial warranty has been submitted and accepted by the Division.

All responses to this report should be directed to Lucas West at the Colorado Division of Reclamation, Mining and Safety at 1313 Sherman Street, Room 215, Denver, CO 80203, by phone at 970-243-6368 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).



## PHOTOGRAPHS







**Inspection Contact Address**

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