




**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> Elrick Pit	<b>MINE/PROSPECTING ID#:</b> M-1997-015	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Washington
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Elliott R. Russell	<b>INSP. DATE:</b> June 1, 2016	<b>INSP. TIME:</b> 11:50
<b>OPERATOR:</b> Washington County	<b>OPERATOR REPRESENTATIVE:</b> Jason Lockard	<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> NA	
<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 22, 2016	

**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.**

**GENERAL INSPECTION TOPICS**

The following list identifies the environmental and permit parameters inspected

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>NA</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>PB</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>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SW) STORM WATER MGT PLAN---- <u>NA</u>	(CI) COMPLETE INSP---- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) SEDIMENT CONTROL----- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>PV</u>	(ST) STIPULATIONS----- <u>NA</u>

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

## **PROBLEMS/POSSIBLE VIOLATIONS**

**INSPECTION TOPIC:** Gen. Compliance With Mine Plan

**COMPLIANCE PROBLEM #1:** 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 an Amendment application, with the required \$2,229 application fee, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** December 1, 2016

**INSPECTION TOPIC:** Off-site Damage

**POSSIBLE VIOLATION:** An access road, constructed for the purpose of the operation, is located 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 has been scheduled to be considered by the Mined Land Reclamation Board, during the August 24-25, 2016 Board meeting. Official notice of 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:** August 24, 2016

**INSPECTION TOPIC:** Hydrologic Balance

**COMPLIANCE PROBLEM #2:** The operation is currently blocking the channel of Surveyor Creek with an unapproved access road.

**CORRECTIVE ACTIONS:** The Operator shall remove the material blocking the natural flow of Surveyor Creek on or before the corrective action deadline.

**CORRECTIVE ACTION DUE DATE:** August 6, 2016

## **OBSERVATIONS**

This inspection was conducted as part of the Division's routine monitoring program for permitted operations. The Elrick Pit is a Construction Material Regular 112c Operation Reclamation Permit with 51.7 permitted acres and an approved post mining land use of Rangeland. The mine is located approximately 8 miles east of Akron, Colorado and just southeast of Platner, Colorado. Elliott Russell, with the Division, inspected the site. Jason Lockard and Jeremy Wells, both with Washington County Road & Bridge, represented the Operator and accompanied the inspection. This inspection was carried out as a part of the Division's normal monitoring program.

At 1150 hours, the Division, Mr. Lockard, and Mr. Wells met at the mine site. At the time of the inspection the temperature was hot, the sky was partly cloudy, and the ground was damp. The mine site identification sign was posted along County Road KK 3/4 and was in compliance with Rule 3.1.12(1). The permit boundary was delineated by a t-posts and fence lines. The site was not actively being mined during the inspection, but a bulldozer was located on-site and there was evidence of recent mining activities. The Operator's representatives indicated that topsoil had recently been stripped to the west of the active mining area and added to the topsoil stockpile along the northern boundary of the pit area.

The mine site is permitted for a channel excavation operation along Surveyor Creek in Sections 10 and 11 as well as a single pit located on the inside of a meander just south of U.S. Highway 34. This pit, approximately 15 acres in size, was added to the permit through the amendment revision process (AM-01) and approved by the Division on October 30, 2013. Although this entire area is within the approved permit boundary, the Operator committed to leaving a 100-foot buffer between the Surveyor Creek and the pit in order to protect the creek and not affect the creek's natural flow. The Operator also committed to not mining into the creek from the pit.

During the inspection, the Division observed the pit area and discovered that mining activities had occurred within the

creek channel and that there was no longer a northern creek bank along the inside of the meander. In one area, the creek channel has been mined approximately 10-15 feet deep and has near vertical walls it what appears to be a dozer slot-style of excavation. The Division believes that mining the northern creek bank and not leaving a 100-foot buffer, as well as excavating into the creek channel, is a substantial deviation of the approved mining plan and the Operator will need to address the current modifications to the mine plan through the Amendment process. This is cited as Compliance Problem #1 on page two of this report.

Additionally, the Division observed that an access road has been constructed from this pit area, directly south to County Road 40. Mr. Lockard stated that this road was created because the mine site would become inaccessible during wet conditions due to the original access road's location, which traveled down the creek channel. After researching the permit files, the Division has determined that this road is not approved in the current permit and has been constructed outside of the approved permit boundary. The Division used a recent Google Earth aerial image, which reflects the site's current configuration, to determine that this off-site disturbance created from the unapproved access road is approximately 1,500 feet in length and .84 acres in size. This is cited as a possible violation on page two of this report and a Reason to Believe a Violation Exists and Notice of Board Hearing letter will be sent with this report or under a separate cover.

By constructing the unapproved road across Surveyor Creek to access the mining area, the Operator has prevented the natural flow of the creek. The material that is placed across the creek channel for the access road, appears to prevent the natural flow of the creek. The Division observed standing water in the creek channel on the upstream side of the road fill. This is cited as Compliance Problem #2 on page two of this report, requiring the Operator to remove this material from the creek channel and re-establish the natural flow of Surveyor Creek.

This concludes the Division's Inspection Report; a subset of photographs taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

### **PHOTOGRAPHS**



Mine identification sign posted western boundary; looking east.





Active mining face in the pit area; looking southwest.



Topsoil stockpile located along northern portion of the pit area; looking east.





Excavation into the creek channel (original flow line delineated by the dashed line); looking northeast (downstream).



Entrance of unapproved access road from County Road 40; looking east.





Unapproved access road cut through southern creek bank into pit area; looking north.



Material piled across the creek channel for the access road (circled in red); looking west (upstream).



Ponded water in Surveyor Creek upstream of the access road embankment; looking northwest.

**Inspection Contact Address**

Jason Lockard  
Washington County  
150 Ash Ave.  
Akron, CO 80720

CC: Wally Erickson; DRMS