



# COLORADO


Division of Reclamation,  
Mining and Safety

Department of Natural Resources

## 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> Fedinec Pit	<b>MINE/PROSPECTING ID#:</b> M-1977-057	<b>MINERAL:</b> Crushed stone mater	<b>COUNTY:</b> Moffat
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Amy C. Yeldell	<b>INSP. DATE:</b> October 27, 2016	<b>INSP. TIME:</b> 12:00
<b>OPERATOR:</b> Pioneer Sand Company, Inc.	<b>OPERATOR REPRESENTATIVE:</b> None	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Priority	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$19,300.00	
<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> November 2, 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>N</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>N</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</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>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>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>N</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

## **OBSERVATIONS**

This inspection was follow up conducted by the Colorado Division of Reclamation, Mining and Safety (Division). The Fedinec Pit was initially inspected on May 10, 2016. During the initial inspection it appeared that a larger area had been affected than permitted. The Division required the operator to get the site surveyed and provide the Division with the results. During this inspection, field conditions were compared to the map submitted on October 14, 2016.

The Fedinec Pit is a 110c permitted site that is approved for a total of 5 permitted acres. This site is located approximately five miles southeast of Craig, Colorado and is accessed from Moffatt County Road 120. No company representative was present during the inspection. Amy Yeldell of the Division conducted the inspection.

Some t-posts were observed throughout the site but they do not appear to delineate the approved permit boundary. The mine sign was observed at the beginning of the affected area.

The site was inactive at the time of the inspection. No equipment, fuel or structures were observed. Lots of miscellaneous metal was observed. It does not appear that any of it has been cleaned up since the last inspection.

The main focus of this inspection was to document site conditions and determine if areas designated as previously affected had been reclaimed well enough that they would not need to be incorporated into the permit area. According to the letter supplementing the map, 9.44 acres have been affected to date. An additional one acre has been affected but is stated as being reclaimed.

The reclaimed areas in question are south and east of the access road. The south portion consists of an old bench. The majority of this area has well established native grasses that likely volunteered in over the years. The slopes appear to be stable and free of erosion. Unfortunately there are small stockpiles that had not been properly graded and do not blend in. Miscellaneous metal debris was observed protruding out of the piles. This leads the Division to believe that there may be additional metal scraps buried in the stock piles which was not part of any approved reclamation plan. Amongst the native vegetation are weeds such as thistle and hounds tongue. The slopes appear to be graded at an unapproved 1.5:1 slope. If the bench width was decreased this slope could easily be relaxed to at least a 2:1 if not shallower.

The reclaimed area on the east side of the access road appears to be the result of creating the road switch back. This area is a berm of excess material above the road grade that then slopes down into the undisturbed vegetation. The slope is approximately 1.5:1 which is an unapproved slope angle. The material creates an almost bench like appearance that does not naturally blend in with the contour. The native vegetation have volunteered well but there are a few bare spots and weeds in this area making reclamation unsuccessful. To reclaim the road this area would likely need to be redisturbed.

Total disturbed area including the areas delineated as reclaimed make up a highly irregular shape. The total affected land to date is 10.44 acres according to the map submitted by Pioneer. Per the Act and Rules only 9.9 acres may be permitted under a 110c. Anything larger must be permitted under a 112c. Its the Division's recommendation that upon converting the permit that the Operator make the permit boundary a more

uniform shape that encompasses all disturbances to date. This will make reclamation in the future easier by allowing more natural contouring.

The undisturbed areas surrounding this site consist of gentle sloping (3:1 or less) grass hills and near vertical rock outcrops. Steep benches do not blend in with the surrounding areas nor do they meet the approved current reclamation plan. The current reclamation plan calls for the entire pit floor to be dropped and flat for future agricultural uses.

Additional observations:

The Pioneer permit area has approximately 3 main levels of benches. Three small stockpiles of approximately 2 foot diameter boulders remain on site. For additional production of rock material it would be necessary to harvest more material from the outcrop above in the Quillen permit area. The bench area slopes appear to be approximately 1.5:1. Between the upper access road and the second bench there is a large eroded gully. This has been identified on several inspection reports however it has not been addressed. There is little to no topsoil stockpiles in this area. Various noxious weeds (mullen, knapweed, thistle, hounds tongue, and cheat grass) are scatter amongst the native vegetation.

The Quillen permit area is the source of the rock material. A natural rock outcrop has been mined and subsequent rock highwalls have been created. It is unclear if this rock material is competent and could be left near vertical upon final reclamation or if the highwall would need to be relaxed. There is no evidence of blasting which further suggests that the rock breaks off in blocks and may not be competent. The only vegetation in this area are weeds (mullen, knapweed, thistle, hounds tongue, and cheat grass). It appears that the weeds were sprayed late this summer. Due to the amount of dead vegetation present aggressive weed management over the next few years will necessary to keep populations in check. Above the rock wall in the undisturbed portions is sagebrush and native grasses. There are several rock stockpiles throughout this area. One stockpile is located along the northern boundary and may be topsoil based on the amount of grass growing. It is not sufficient in volume to cover the 5 acres of the original permit area 6-12". However this is to be expected if this site was originally a rock outcrop. This site will likely be topsoil deficient.

The current DRMS permit indicates that the subsurface mineral rights belong the Fedinec family. The BLM has notified the Division that this is incorrect and that it is a split estate. Currently royalties for subsurface rights have been paid and the operation is in compliance with the BLM. The conversion application will need to be corrected to reflect BLM as the subsurface owners.

It is also noted that the original permit application maps do not depict the mine access road. The permit application adequacy review and inspection report both state that the permit boundary should be revised to include the access road. The Division has not further correspondence of if this was ever address. Does Pioneer have record any additional documentation regarding this matter?

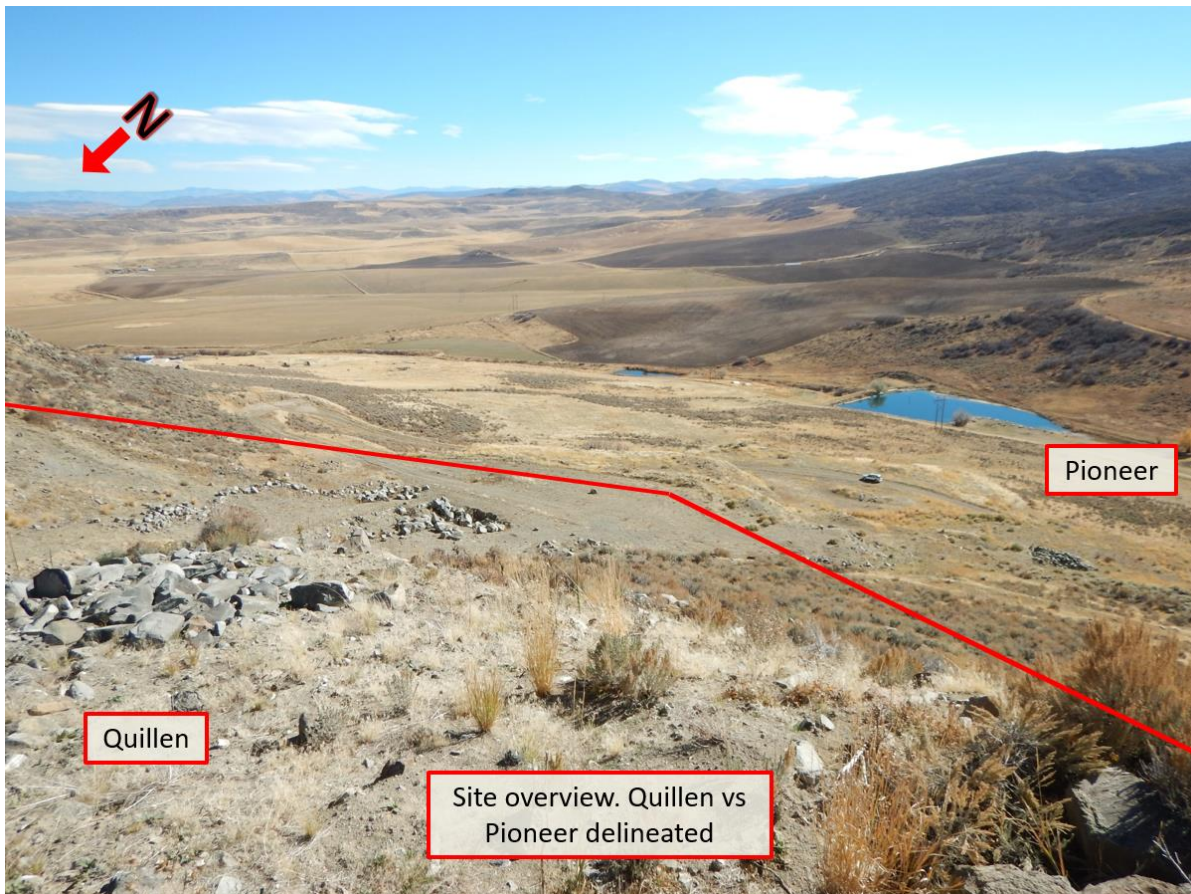
A Reason to Believe letter for a possible violation has/will be sent to the operator. The Division will be presenting before the Board our findings and recommend that a permit conversion be required to incorporate at least the 10.44 acres shown to be affected into the permit. The Division recommends that if you do not contest this disturbance that you begin the conversion application process prior to Board.

Currently the Division holds a Financial Warranty in the amount of \$19,300 for this site. The last surety

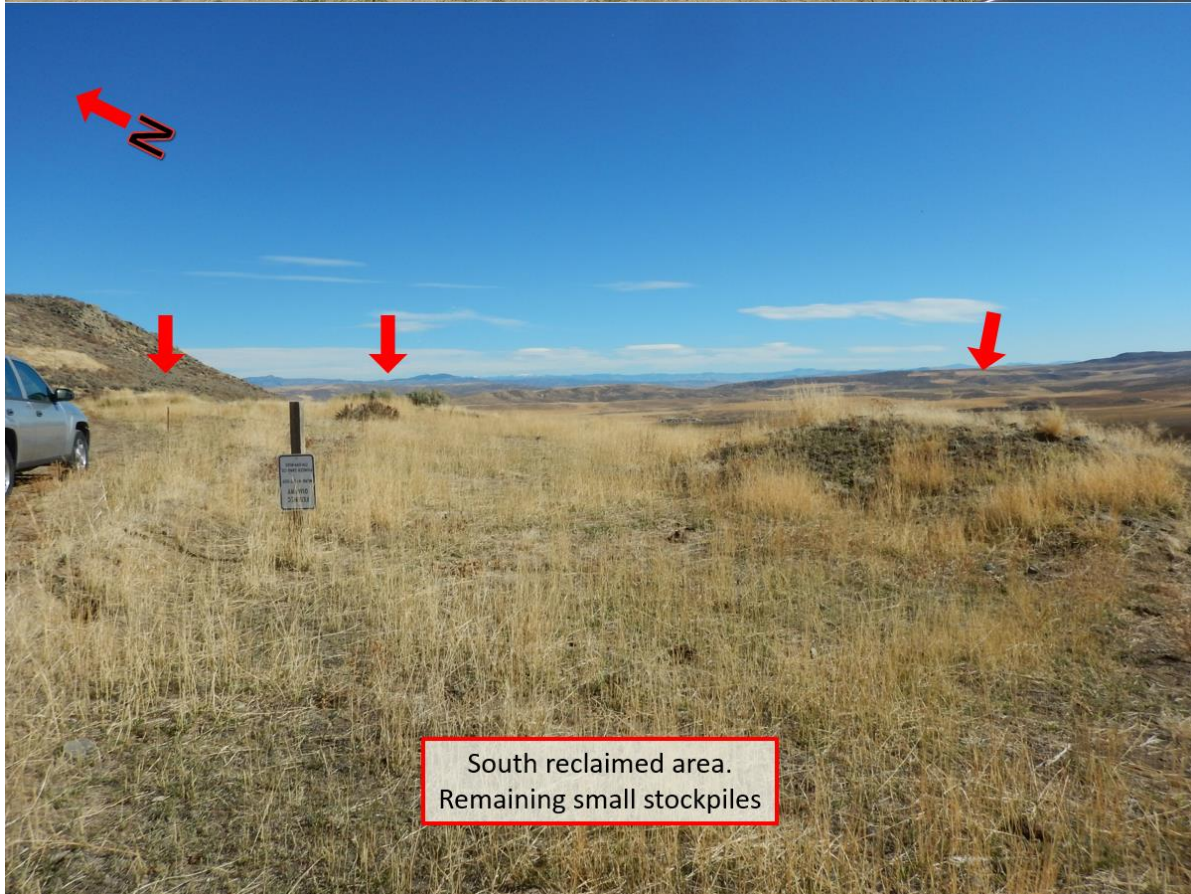
increase was calculated in 2012 based on 5 acres of disturbance. The Division will wait for the acreage discrepancy to be resolved prior to determining if the current bond is adequate or if additional surety shall be necessary.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 970-254-8511 or via email at amy.yeldell@state.co.us

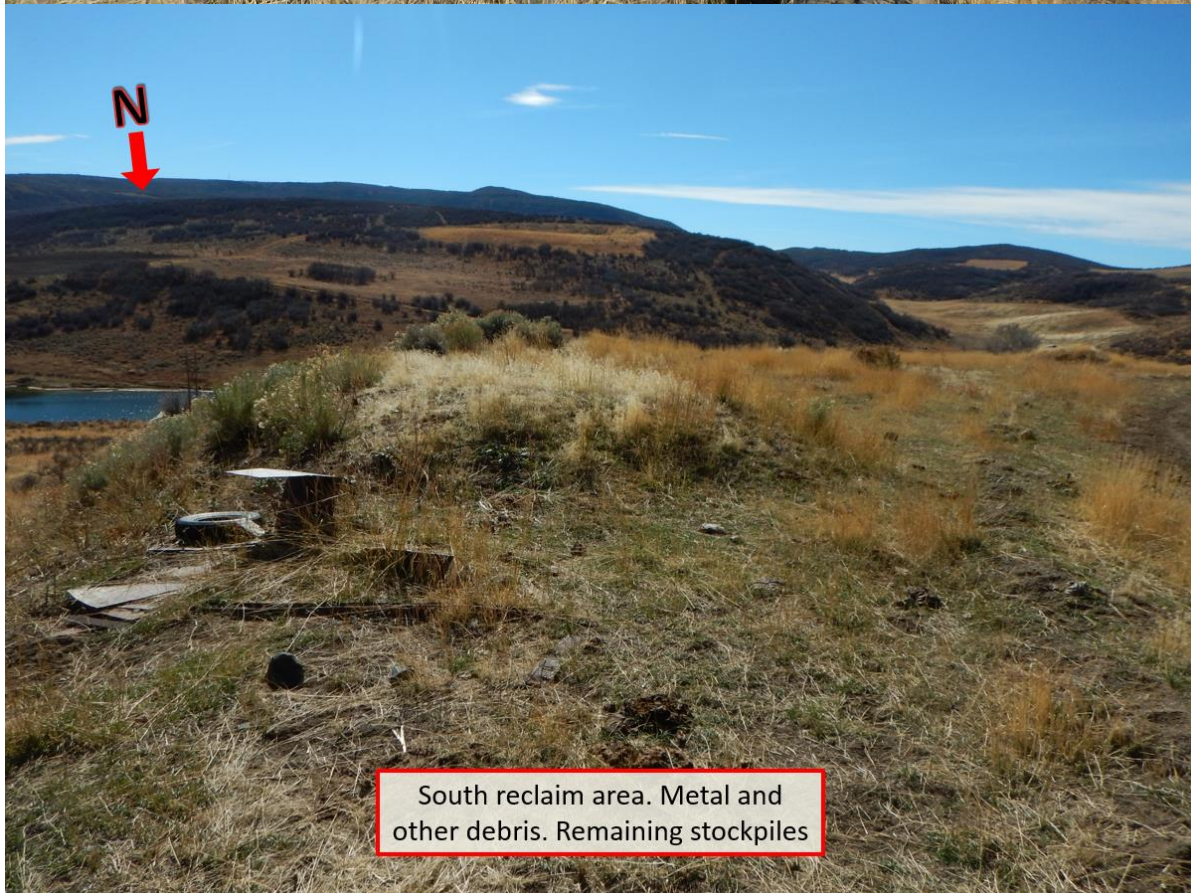
### PHOTOGRAPHS















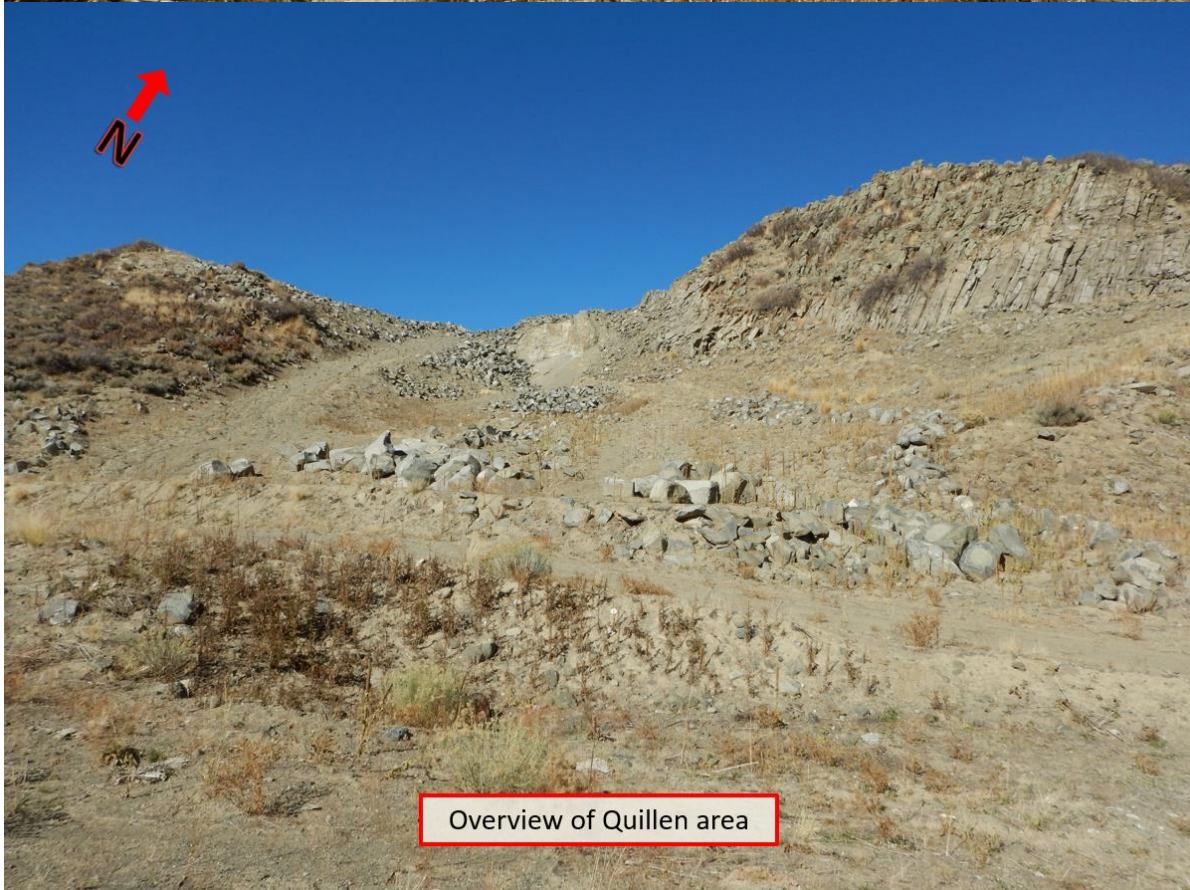






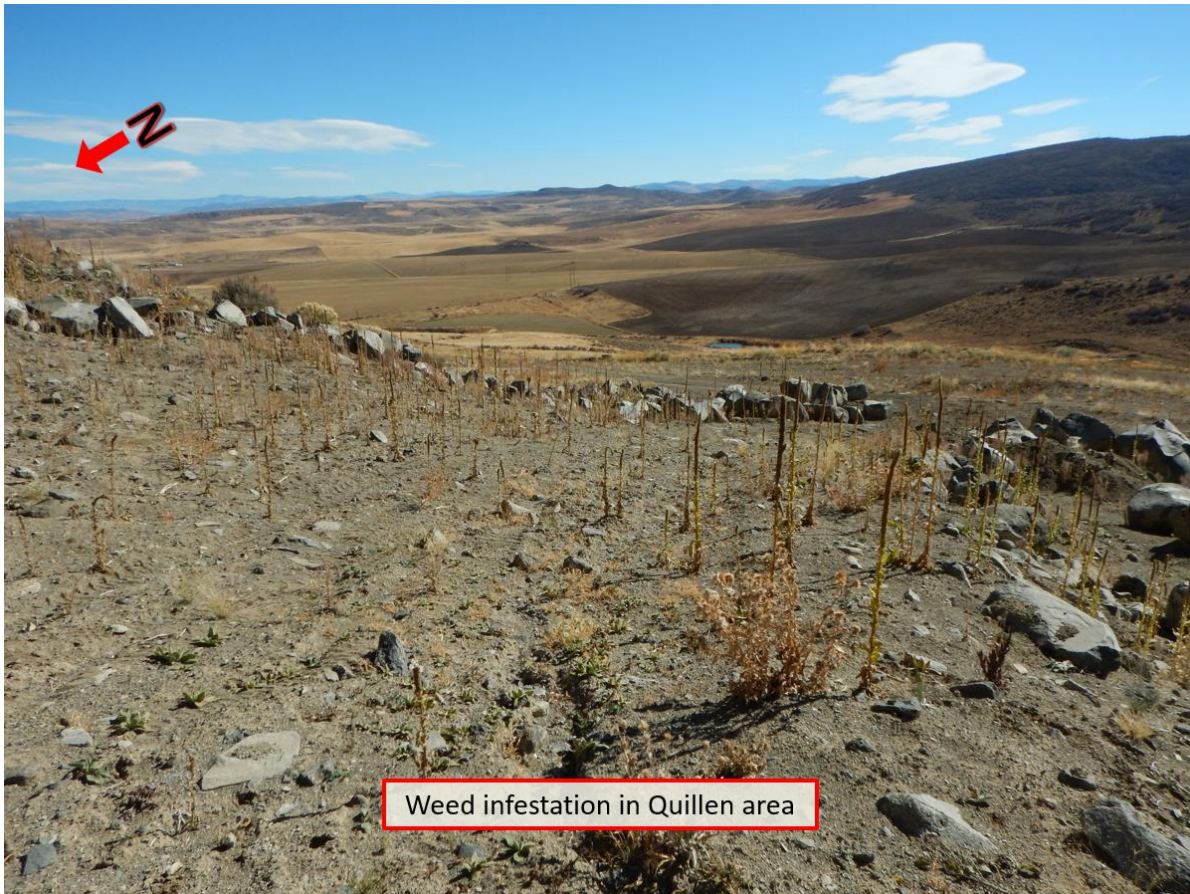


Eroded gully between benches

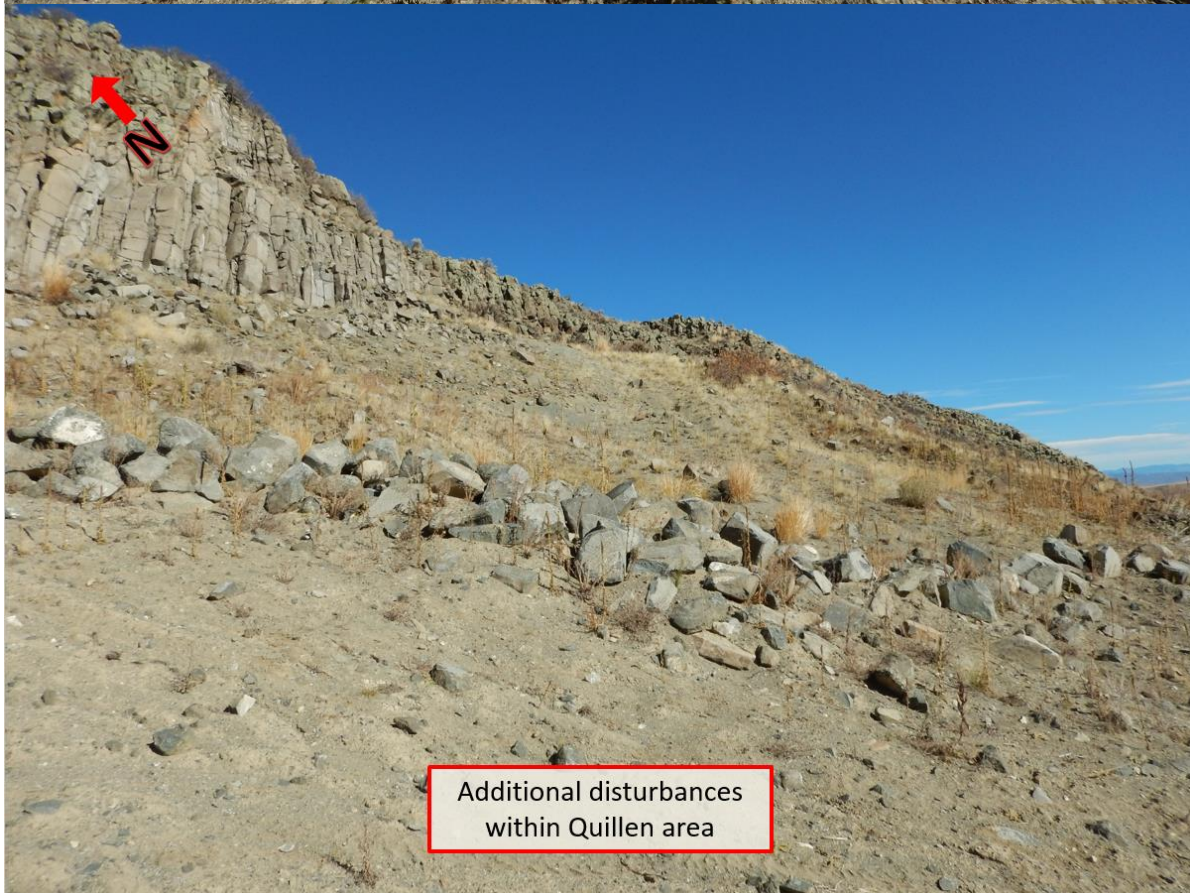


Overview of Quillen area



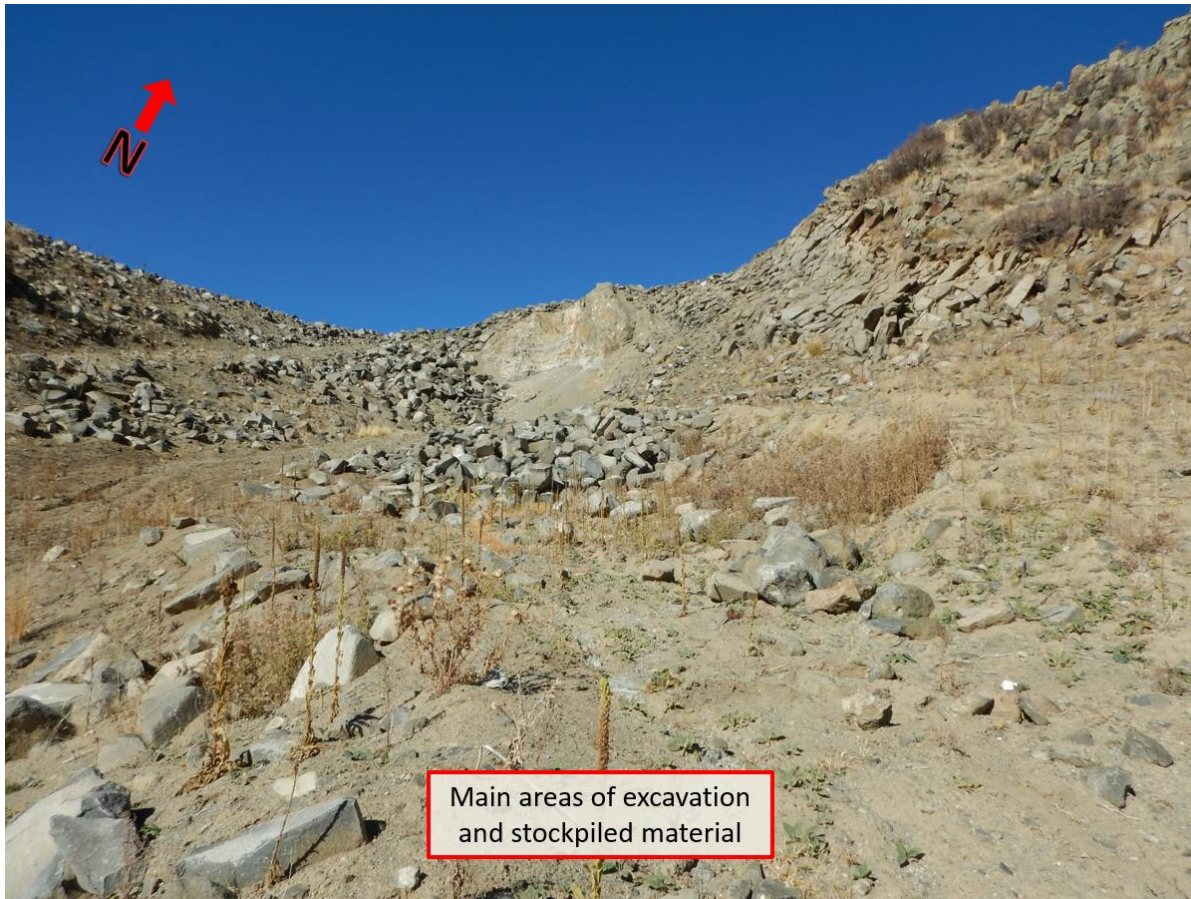


Weed infestation in Quillen area



Additional disturbances  
within Quillen area

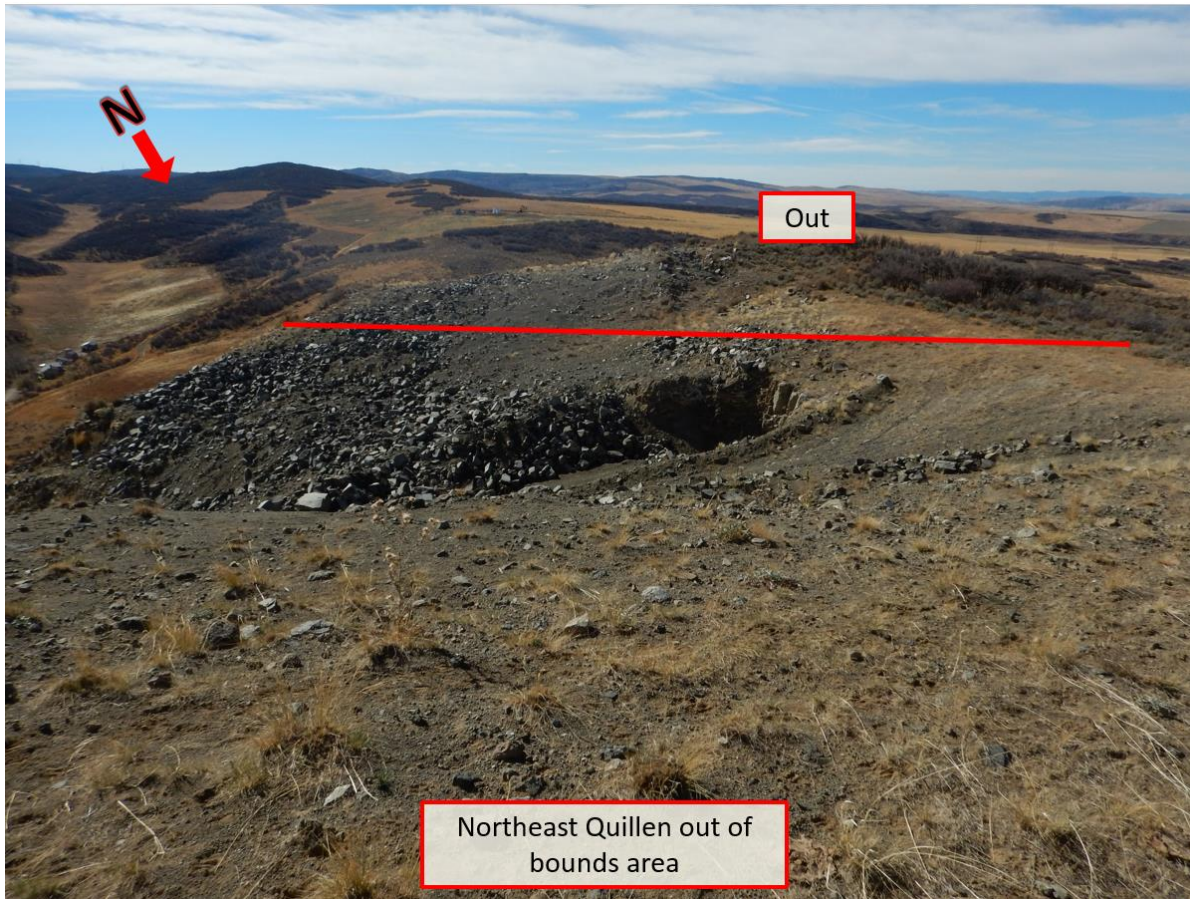












**Inspection Contact Address**

Julie Sevier  
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5000 Northpark Drive  
Colorado Springs, CO 80918

Enclosure

EC:  
Russ Means, Senior EPS / Field Office Supervisor, Grand Junction DRMS  
Wayne Brantley, Pioneer Sand Company, Inc.  
Jennifer Maiolo, Little Snake River Field Office, BLM