

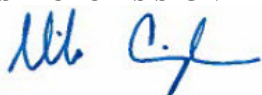
**COLORADO**Division of Reclamation,  
Mining and Safety

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> Bottomless Pit	<b>MINE/PROSPECTING ID#:</b> M-2001-068	<b>MINERAL:</b> Gravel and sand	<b>COUNTY:</b> Las Animas
<b>INSPECTION TYPE:</b> Surety-Related Inspection	<b>INSPECTOR(S):</b> Michael A. Cunningham	<b>INSP. DATE:</b> April 11, 2017	<b>INSP. TIME:</b> 11:30
<b>OPERATOR:</b> Tamrock Gravel LLC	<b>OPERATOR REPRESENTATIVE:</b> Brent Tamburelli	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$41,063.00
<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> April 17, 2017

**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:** Financial Warranty

**PROBLEM/POSSIBLE VIOLATION:** Problem: The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.

**CORRECTIVE ACTIONS:** The operator shall submit adequate financial warranty, as determined by the Division. The Division will be sending a separate surety increase notice to the operator regarding the increase of the financial warranty. The operator will have 60 days from the date on the surety increase notice to post the additional financial warranty.

**CORRECTIVE ACTION DUE DATE:** 6/16/17

## **OBSERVATIONS**

The inspection was conducted by Michael Cunningham of the Division of Reclamation, Mining and Safety (Division). Brent Tamburelli was present on behalf of Tamrock Gravel LLC. The Bottomless Pit is located approximately 9 miles northeast of Trinidad, Colorado in Las Animas County. The site operates under a 112 Construction Materials Reclamation Permit. The permit area is 327 acres and the designated affected area is 100 acres. The post-mining land use is rangeland.

The purpose of the inspection was to follow up on the financial warranty calculation performed following the inspection conducted on January 26, 2017. The Division mailed a copy of the preliminary financial warranty estimate to the Operator on February 15, 2017. In response to the Division's preliminary financial warranty estimate, the Operator mailed a letter on March 1, 2017, in which the Division's calculations were contested. During the follow-up inspection the Division traversed the mine site with a Trimble Juno 3B GPS unit in order to determine the size of the area requiring revegetation.

The Division currently holds a financial warranty in the amount of \$41,063.00, which has remained unchanged since the Reclamation Permit was issued in 2001. As noted in the previous inspection report, the financial warranty was structured so that the 10 acres of disturbance could float through the designated affected area. The Operator was to limit the amount of disturbance by performing concurrent reclamation. The failure to perform concurrent reclamation has resulted in an inadequate financial warranty. Pursuant to Rule 4.2.1(1), all financial warranties shall be set and maintained at a level which reflects the actual current cost of fulfilling the requirements of the Reclamation Plan.

Following the inspection, the Division downloaded the data from the GPS unit and determined the area requiring revegetation is 25.8 acres (see attached map). The financial warranty estimate was adjusted to account for a smaller area requiring revegetation. In addition, the financial warranty estimate was revised to account for approximately 200' of highwall which was reclaimed along the southern portion of the affected area. Notice of the financial warranty increase will be sent under separate cover.

During the inspection, a copy of the Reclamation Plan was provided to the Operator. The establishment of vegetation in the location of the Bottomless pit is difficult due factors such as limited topsoil and drought conditions. The Operator is encouraged to follow the Reclamation Plan for the best chance of successfully establishing vegetation on reclaimed areas.

This concluded the inspection.

## **PHOTOGRAPHS**



1. Reclaimed slope along southern portion of affected area.



2. Unreclaimed slope along southern portion of affected area.



3. Overview of mine site from southern limit of affected area.



4. Additional areas requiring grading.



5. Graded slope along eastern permit boundary.



6. Overview of pit floor.

### **GENERAL INSPECTION TOPICS**

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>PB</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</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>N</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>N</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**

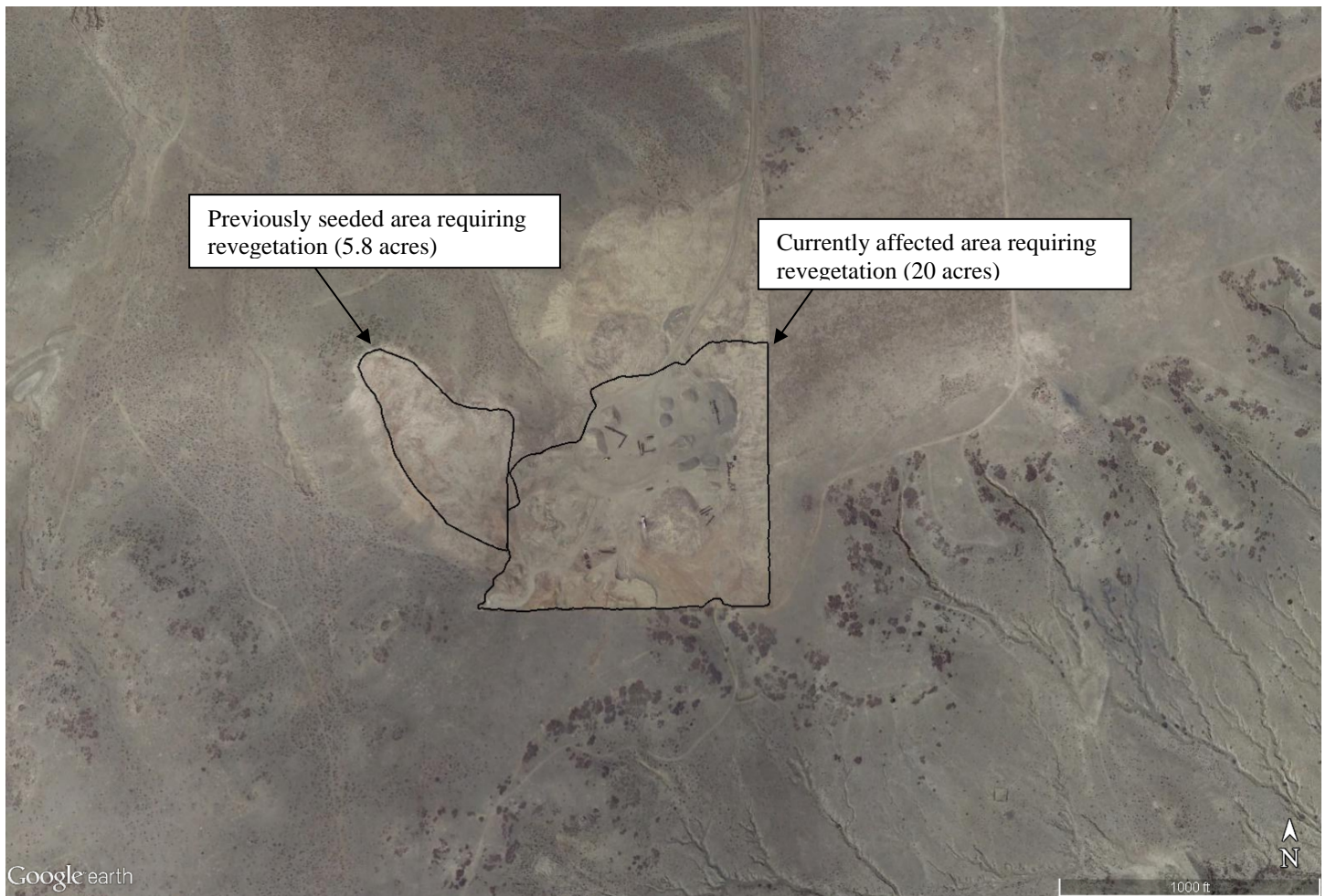
Brent Tamburelli  
Tamrock Gravel LLC  
137 Plum Street  
Trinidad, CO 81082

Enclosure

CC: Wally Erickson, DRMS



Bottomless Pit (M-2001-068)



Map Created: April 17, 2017  
Source of Aerial Image: Google Earth  
Imagery Date: 5/1/2014  
Created By: Michael Cunningham