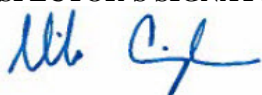


**COLORADO**Division of Reclamation,
Mining and Safety

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.

MINE NAME: The Broyles Pit	MINE/PROSPECTING ID#: M-2004-028	MINERAL: Gravel	COUNTY: Las Animas
INSPECTION TYPE: Surety-Related Inspection	INSPECTOR(S): Michael A. Cunningham	INSP. DATE: April 11, 2017	INSP. TIME: 15:00
OPERATOR: Febbraro Construction Co.	OPERATOR REPRESENTATIVE: Joseph Febbraro	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$12,023.61	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: April 19, 2017	

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>Y</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>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</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>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	(ST) STIPULATIONS----- <u>NA</u>

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

OBSERVATIONS

The inspection was conducted by Michael Cunningham of the Division of Reclamation, Mining and Safety (Division). Joseph Febbraro was present on behalf of Febbraro Construction Co. In addition, Michele Eichler was present on behalf of the Successor Operator. The Broyles Pit is located 15 miles northeast of Trinidad, Colorado. The Broyles Pit operates under a 112 Construction Materials Reclamation Permit and is permitted for 12.96 acres of disturbance. The commodity of interest is sand and gravel and the post-mining land use is rangeland.

On February 21, 2017, the Division received a request to transfer the Reclamation Permit from Febbraro Construction Co. to Michele and Frederick Eichler. The successor operator chose to waive their right to a decision within 30 days. Therefore, the primary purpose of the inspection was to perform a financial warranty calculation so that the successor operator was informed of the financial warranty obligation prior to the transfer of the Reclamation Permit. In addition, the Division inspected the site for permanent man-made structures within 200 feet of the affected area as well as general compliance issues.

The Broyles Pit is currently in the first five-year term of temporary cessation, which will expire on March 8, 2018. The site was inactive at the time of the inspection and no equipment was present at the site. The permit sign was posted at the site entrance and the boundaries of the affected lands were delineated by monuments as required by Rule 3.1.12. Upon transfer of the Reclamation Permit, the successor Operator will need to revise/replace the permit sign so that the new Operator name is listed.

The Broyles Pit is divided into four permit areas: West Pit, East Pit, Stockpile Area, and haul road. The East Pit has been reclaimed and all pit slopes are at a grade of 3H:1V or flatter. The East Pit did not have any vegetative growth and this area will require reseeding if no further mining will occur. The Stockpile Area is located to the north of the East Pit and contains a single product stockpile. The West Pit is currently affected by the mining operation and contains a large product stockpile. The pit slopes have been graded to 3H:1V, with the exception of a vertical section approximately 40 ft. in length located at the west end of the pit and the south side of the haul road. Topsoil has been salvaged and stockpiled at the west end of the pit. The West and East Pits are connected by the haul road which is 800 ft. in length.

The Division holds a financial warranty in the amount of \$12,023.00. The Division will perform a financial warranty calculation as a part of this inspection. Notice of the financial warranty calculation will be sent under separate cover.

This concluded the inspection.

PHOTOGRAPHS



1. Permit sign at site entrance.



2. East pit.



3. Storage area.



4. West Pit.

Inspection Contact Address

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Febbraro Construction Co.
2010 Santa Fe Trail
Trinidad, CO 81082

CC: Wally Erickson, DRMS
Michele and Frederick Eichler