


**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> Vollmer Pit	<b>MINE/PROSPECTING ID#:</b> M-1983-035	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> El Paso
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Timothy A. Cazier	<b>INSP. DATE:</b> March 14, 2017	<b>INSP. TIME:</b> 8:50
<b>OPERATOR:</b> Schmidt Construction Company	<b>OPERATOR REPRESENTATIVE:</b> Mark Heifner	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Partial Bond	<b>BOND AMOUNT:</b> \$23,560.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Cloudy	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> November 14, 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:** Gen. Compliance With Mine Plan

**PROBLEM/POSSIBLE VIOLATION:** Problem: 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 request an increase to the maximum affected area allowed at one time, and the reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 (1) to describe how the self-reclaimed area will be avoided when removing the visual berms in order to avoid these areas being considered affected area as well.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan to reflect existing affected area and proposed reclamation activities by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 1/13/18

## **OBSERVATIONS**

This inspection was conducted as part of the regular monitoring program. The Permittee (Schmidt Construction) was represented by Mr. Mark Heifner during the inspection. The Vollmer Pit is accessed from Black Forest Road approximately one mile north of the intersection of Black Forest Road and East Woodman Road in northern Colorado Springs. This is a 112c sand and gravel mine. It was not operating at the time of the inspection.

Availability of Records: Annual fees are paid through May 2017. The previous inspection was on April 4, 2013. The approved post-mine land use is rangeland. There are no open infractions. The site is currently in its first 5-year period of temporary cessation (TC) which will end May 12, 2018. At that time, the Permittee will either need to resume mining, begin final reclamation, or petition the Mined Land Reclamation Board for an additional and final 5-year period of TC.

Backfilling and Grading: The existing visual berms on the north, west, and south highwall crests appeared to contain sufficient backfill material for the necessary reclamation.

Excess Spoil and Dev. Waste: Mr. Heifner explained the aforementioned visual berms are overburden stockpiles. They appeared stable at the time of the inspection.

Financial Warranty: The \$23,560 bond held by the Division is almost certainly inadequate for the reclamation required at approximately \$650 per acre of disturbance. However, significant reductions to the bond might be gained if the permittee can demonstrate how to remove the visual berms without re-disturbing the self-reclaimed areas. The Division will re-evaluate the bond after completing the review process for the technical revision (TR) required in the problem cited below under "Gen. Compliance with Mine Plan".

Fish and Wildlife: No impacts to fish or wildlife were observed.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed.

Gen. Compliance with Mine Plan: Both the April 2013 and August 2009 inspection reports stated 37 +/- acres of affected area was more than the maximum allowed 10 acres of affected area. Both these inspection reports also requested a technical revision (TR) be submitted to adjust the maximum allowed affected area to include the 37 +/- affected area and update the bond estimate. It has been more than eight years and the Division has not received the requested TR. **Failure to submit the requested TR is cited as a problem on page 1 of this report.** The annual report maps submitted between 2014 and 2017 indicate the more or less south portion of the pit has been reclaimed. Observations made during this inspection lead the Division to concur with this assessment. However, the aforementioned south visual berm will need to be pushed down to complete the required reclamation, thereby re-disturbing a large portion of this reclaimed area. As per the current TC condition, mining must resume, final reclamation must begin or the MLRB must be petitioned for an additional five years of TC by May of 2018. All three of these scenarios will require a bond review. Therefore, the required TR will not only need to request an increase in the maximum affected area at one time, but also provide a detailed reclamation plan that describes how the south visual berms will be removed without re-disturbing the south "reclaimed" portion of the pit floor.

High walls were estimated to vary between 12 and 15 feet in height and appeared stable (see **Photo 1**).

Off-site Damage: The operation appeared to be confined to the permit boundary.

Processing Waste: No processing waste was observed on site.

Roads: The access road is paved, therefore haul roads are not a source of sediment that could be tracked offsite.

Reclamation Success: Mr. Heifner explained the Permittee had not initiated any reclamation at the time of the inspection.

Revegetation: No noxious weeds were observed. Mr. Heifner explained the Permittee had not initiated any revegetation, but that most of the revegetation occurred due to self-propagation (see **Photo 2**).

Sediment Control: A gulley was observed in the southeast corner of the pit (see **Photo 3**). The gulley was confined by the south visual berm and the unmined area to the east. It did not appear this gulley could lead to head cutting that could propagate offsite.

Support Facilities On-site: A cinder block scale house is still on site (see **Photo 4**), but the truck scale had been removed.

Signs and Markers: The permit sign was properly posted (see **Photo 5**) and the boundary was marked with the visual berms or fencing (see **Photos 6, 7 and 8**).

Permit Stipulations: There are no open permit stipulations.

Storm Water MGT Plan: No oil or fuel spills observed. Mr. Heifner stated stormwater drains to the pit and infiltrates.

Topsoil: Mr. Heifner explained the overburden for this site is not distinct from the topsoil. As such, the aforementioned visual berms are also stockpiled growth media for reclamation.

Please contact Tim Cazier (303)866-3567 ext. 8169 or email at [tim.cazier@state.co.us](mailto:tim.cazier@state.co.us) if you have any questions regarding this report.

## **PHOTOGRAPHS**



Photo 1. Typical highwall, north side (looking north).



Photo 2. Self-reclaimed vegetation on pit floor (from south visual berm looking NW).



**PHOTOGRAPHS (cont.)**



Photo 3. Gulley observed in the southeast corner of the pit (looking east).



Photo 4. Scale house (looking south).

**PHOTOGRAPHS (cont.)**



Photo 5. Permit sign (near entrance).



Photo 6. South visual berm (from SE corner, looking west).



**PHOTOGRAPHS (cont.)**



Photo 7. Stormwater control berm (east side, looking south).



Photo 8. Visual berm boundary marker (west side, north end, looking north).

### GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</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>Y</u>	(SF) PROCESSING FACILITIES----- <u>Y</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>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <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

#### Inspection Contact Address

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ec: DRMS file  
Mark Heifner