

February 9, 2018

Martin Azcarraga  
M.A. Concrete Construction, Inc.  
2323 River Rd.  
Grand Junction, CO 81505



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

***RE: Cole Gravel Pit, Permit No. M-2004-020, Unresolved Problem(s) Noted in a Past Inspection Report***

Dear Mr. Azcarraga:

According to records kept by the Division of Reclamation, Mining and Safety, some problem(s) noted in a past mine site inspection report have not been corrected. If the problem(s) have already been corrected, documentation of the corrective actions taken to correct the problem(s) must be submitted to our office.

Please see the enclosed inspection report for the above noted mine site, issued as a result of a past inspection of this site. Problems noted in this report that remain unresolved according to our records, have been highlighted.

To avoid potential future enforcement actions for non-compliance with State Statutes, Rules and Regulations, and/or conditions specified in your permit for this site, you must submit compliance documentation with the corrective actions by ***Tuesday, April 10, 2018.***

If you require additional information, or have questions or concerns, please feel free to contact me. 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

Sincerely,

***Amy Yeldell***

Environmental Protection Specialist  
Department of Natural Resources  
Division of Reclamation, Mining and Safety  
Phone: (970) 254-8511  
Fax: (970) 241-1516

Cc:  
Russ Means, Senior EPS, Grand Junction DRMS



Brian Watterson  
Peabody Williams Fork Mining, LLC  
36600 Rout CR #27  
Hayden, CO 81639


**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> Cole Gravel Pit	<b>MINE/PROSPECTING ID#:</b> M-2004-020	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Mesa
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Stephanie J. Mitchell	<b>INSP. DATE:</b> April 19, 2017	<b>INSP. TIME:</b> 13:00
<b>OPERATOR:</b> M.A. Concrete Construction, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Martin Azcarraga	<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> \$335,500.00
<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> May 5, 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: Acid And Toxic Materials**

**PROBLEM/POSSIBLE VIOLATION:** Problem: Improper storage and containment of fuels and/or other hazardous materials was present on site.

**CORRECTIVE ACTIONS:** All storage tanks, petroleum and any hazardous materials on site for any period of time shall have appropriate secondary containment. The site will also have to comply with all applicable SPCC requirements. Please supply photo documentation that any fuel or hazardous materials containers are stored properly - including applicable secondary containment structures by the corrective action date. Note that secondary containment structures shall consist of an impermeable containment which could contain all contents of the tanks and various containers (when full) plus 10% of the total capacity. The operator may also provide photo documentation that all containers have been removed from the site on or before the corrective action date.

**CORRECTIVE ACTION DUE DATE: 7/05/17**

**INSPECTION TOPIC: Hydrologic Balance**

**PROBLEM/POSSIBLE VIOLATION:** Problem: Improper storage and containment of fuels and/or other hazardous materials was present on site.

**CORRECTIVE ACTIONS:** All storage tanks, petroleum and any hazardous materials on site for any period of time shall have appropriate secondary containment. The site will also have to comply with all applicable SPCC

requirements. Please supply photo documentation that any fuel or hazardous materials containers are stored properly - including applicable secondary containment structures by the corrective action date. Note that secondary containment structures shall consist of an impermeable containment which could contain all contents of the tanks and various containers (when full) plus 10% of the total capacity. The operator may also provide photo documentation that all containers have been removed from the site on or before the corrective action date.

**CORRECTIVE ACTION DUE DATE: 7/05/17**

## **OBSERVATIONS**

This was a normal monitoring inspection of the Cole Gravel Pit; DRMS file No. M-2004-020 operated by M.A. Concrete Construction, Inc.. This is a 264.63 acre 112c mining operation located approximately 5 miles southeast of Grand Junction, Colorado in Mesa County. I, Stephanie Mitchell of the Colorado Division of Reclamation, Mining and Safety (Division) conducted the inspection. Mr. Martin Azcarraga accompanied me on the inspection.

The Mine Identification sign was at the entrance to the mine site in compliance per Rule 3.1.12 (2) and permit boundary markers and fencing were in correct locations.

The current disturbance is located in the south eastern portion of the permit area and is approximately 15 acres in size, and moving to the east. The excavation is about 15-20 feet deep with a vertical highwall of 500 feet long. Topsoil has been stripped and is stockpiled in various areas and is stabilized with vegetative cover. No erosion or sedimentation issues were observed.

The site was active at the time of inspection. Several loaders were on site as well as a crushing and screening equipment.

**There are two fuel tanks on site. One tank is double walled with adequate secondary containment. The second fuel tank needs to be protected by secondary containment. This is noted as a problem at the beginning of this inspection report.**

All other activities and completed work at the time of inspection appeared to follow the guidelines and regulations set forth by the state and in the mining and reclamation plans for the pit.

Responses to this inspection report should be directed to Stephanie Mitchell at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 South 3rd Street, Room 301, Grand Junction, Colorado 81501, phone number (970) 242-5025.

## PHOTOGRAPHS



Mine ID Sign



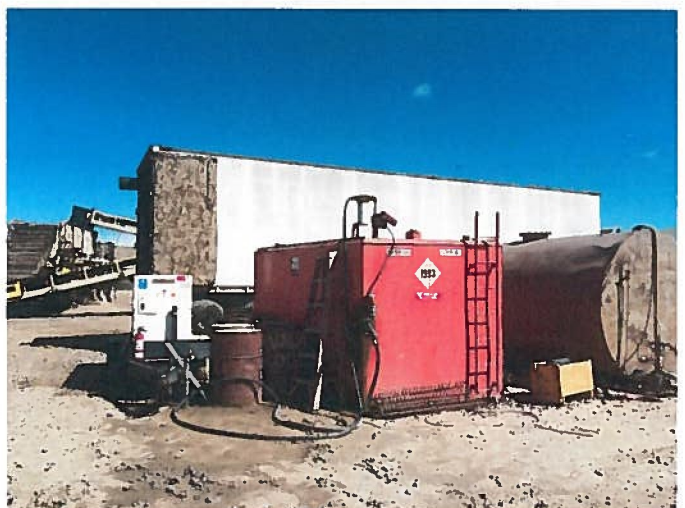
Fuel Storage with no secondary containment- PROBLEM



Crushing/ Screen Op



Material Stockpiles



Fuel Storage- Double walled



## 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>PB</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>Y</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>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>Y</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>PB</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

Martin Azcarraga  
M.A. Concrete Construction, Inc.  
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Grand Junction, CO 81505