


**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: Hazeltine Mine	MINE/PROSPECTING ID#: M-2004-031	MINERAL: Sand and gravel	COUNTY: Adams
INSPECTION TYPE: Monitoring	INSPECTOR(S): Jared L. Ebert	INSP. DATE: February 1, 2018	INSP. TIME: 08:45
OPERATOR: Aggregate Industries - WCR, Inc.	OPERATOR REPRESENTATIVE: Connie Davis	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$670,602.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Snowing	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: February 16, 2018

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: Availability Of Records

POSSIBLE VIOLATION: The water monitoring data required for monitoring well HZMW-2 and for staff gauge SG-2 was incomplete or missing for the 2017 monitoring year submitted with the 2017 annual report. This is a possible violation at this time for failure to submit the required water monitoring report data in accordance with Rule 3.1.7(7) and for failure to comply with the condition of a reclamation permit in accordance with C.R.S. 34-32.5-109(2)(a).

CORRECTIVE ACTIONS: The Division will set this matter for a hearing before the Mined Land Reclamation Board on March 21, 2018.

INSPECTION TOPIC: Hydrologic Balance, Off-Site Damage

POSSIBLE VIOLATION: The Orr property is still flooded and the Operator has failed to mitigate the disturbance to the prevailing hydrologic balance in the surrounding area and has failed to protect areas outside of the affected land from damage. This is a possible violation at this time pursuant to C.R.S. 34-32.5-116(4)(h) and 34-32.5-116(4)(i). Also, this is a possible violation for failure to comply with the conditions of an order in accordance with C.R.S. 34-32.5-124.

CORRECTIVE ACTIONS: The Division will set this matter for a hearing before the Mined Land Reclamation Board on March 21, 2018.

OBSERVATIONS

This was a monitoring inspection of the Hazeltine Mine, DRMS File No. M-2004-031 operated by Aggregate Industries - WCR, Inc. (AI). I, Jared Ebert with the Colorado Division of Reclamation, Mining and Safety (DRMS or Division) conducted the inspection. Mrs. Connie Davis with AI accompanied me during the inspection of the mine site. Mr. Fred Orr an adjacent landowner and his consultant Stevan O'Brian with Environment, Inc. accompanied me onto Mr. Orr's property. The weather was cold and snowy at the time of the inspection.

The Division received a complaint letter from Mr. Orr on September 29, 2017. Overall, the complaint letter raised concerns regarding the groundwater mounding issue occurring at the site. Mr. Orr also raised concerns about the mitigation measures AI committed to complete and the timing of the completion of the mitigation measures. The Division conducted an inspection on November 8, 2017 in response to Mr. Orr's complaint. During that inspection the Division cited the following two problems:

INSPECTION TOPIC: Availability Of Records

PROBLEM: The water monitoring data required for monitoring well HZMW-2 and for staff gauge SG-2 was incomplete or missing for the 2017 monitoring year submitted with the 2017 annual report. This is a problem at this time for failure to submit the required water monitoring report data in accordance with Rule 3.1.7(7) and for failure to comply with the condition of a reclamation permit in accordance with C.R.S. 34-32.5-109(2)(a).

CORRECTIVE ACTIONS: Submit the results of the water monitoring for HZMW-2 and SG-2 to the Division for the 2017 monitoring year.

CORRECTIVE ACTION DUE DATE: 12/29/17

INSPECTION TOPIC: Hydrologic Balance, Off-Site Damage

PROBLEM: The Orr property is still flooded and the Operator has failed to mitigate the disturbance to the prevailing hydrologic balance in the surrounding area and has failed to protect areas outside of the affected land from damage. This is a problem at this time pursuant to C.R.S. 34-32.5-116(4)(h) and 34-32.5-116(4)(i).

CORRECTIVE ACTIONS:

- (1) The Operator shall take immediate action to sufficiently dry the surface of the Orr property. Mitigation measures shall be taken immediately and the Orr property must be sufficiently dry by the corrective action due date.
- (2) Submit a Technical Revision to the Permanent Plan for the Orr property so the mitigation measures to be taken for the Orr property will function year round with little maintenance.

CORRECTIVE ACTION DUE DATE: 1/31/18

This inspection was conducted to follow-up on the problems cited in the November 8, 2017 inspection report.

Availability Of Records:

On January 5, 2018, DRMS received a response letter regarding the missing water monitoring data for the 2017 reporting year. AI indicated data for staff gauge SG-2 from January through July 2017 was not available because the gauge had to be temporarily removed following the December 12, 2016 monitoring event to accommodate the construction of the Orr Drain. A new gauge was re-installed and monthly monitoring was resumed in August of 2017. For the missing HZMW-2 data, AI indicated the monitoring well was inaccessible.

Based on further discussion with AI and their consultant Tetra Tech, the area surrounding this well is inundated with water and the soil is very moist that an individual cannot safely approach the well without sinking into the soil to a dangerous level.

AI has failed to conduct the required water level monitoring in accordance with the approved plan. With the approval of Technical Revision No. 4 (TR04), AI committed to draining the area sufficiently in order to locate, rehabilitate and use monitoring wells that had been impacted by the site flooding. If AI was aware the area around HZMW-2 was flooded to an unsafe level, mitigation action should have been initiated immediately. The Division considers the failure to collect the required water monitoring data a possible violation and will begin enforcement action.

In the future, DRMS requests that AI inform the Division promptly when a monitoring requirement cannot be met and provide the Division with a plan to resume monitoring within the required schedule. If long term disruptions in monitoring are foreseen, AI will need to file a Technical Revision to revise the approved monitoring plan.

Hydrologic Balance:

At the time of this inspection, the Orr Drain was closed and not discharging. Also, the Fulton Ditch was turned out and flowing into the Bull Seep. Water is ponded above the Orr Drain. The Orr property is still flooded and the Operator has failed to mitigate the disturbance to the prevailing hydrologic balance in the surrounding area and has failed to protect areas outside of the affected land from damage. The Division considers this to be a possible violation and will begin enforcement action.

PHOTOGRAPHS



Figure 1. From the Hazeltine Mine access road on the east side, south of the Orr Drain looking east.



Figure 2. Orr Drain on the southwest side looking northeast.



Figure 3. Orr Drain headgate closed.



Figure 4. Orr Drain outlet.



Figure 5. Orr drain flume.



Figure 6. Run-down channel from Orr drain into pit.



Figure 7. Fulton Ditch turnout, open.



Figure 8. Fulton Ditch turnout, outlet flowing into the Bull Seep.



Figure 9. From the southwest corner of the Orr property looking north.



Figure 10. From the southwest end of the Orr property along the access road looking west.



Figure 11. From near the center of the Orr property looking west.

GENERAL INSPECTION TOPICS

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

(AR) RECORDS----- PV	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- PV	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- PV	

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

Connie Davis
Aggregate Industries - WCR, Inc.
1687 Cole Blvd., Ste. 300
Golden, CO 80401

EC: Fred Orr, fred@5040group.com
Stevan O'Brian, Environment, Inc. environment-inc@outdrs.net