


**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: Red Canyon Quarry	MINE/PROSPECTING ID#: M-1985-043	MINERAL: Aggregate and sand and gravel	COUNTY: Fremont
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy A. Cazier	INSP. DATE: January 29, 2018	INSP. TIME: 09:30
OPERATOR: Rocky Mountain Materials and Asphalt, Inc.	OPERATOR REPRESENTATIVE: Dave Bieber, M.Sheahan, R.Cochrane, W. Stoughton	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Priority	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$334,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: Colo. Land Board, U.S.BLM	JOINT INSP. AGENCY: U.S.BLM, Colo. Land Board
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: February 27, 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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing on the west side of the permit area. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 4/28/18

OBSERVATIONS

This site visit was conducted as a priority inspection in part as a result of the Division receiving non-specific objection letter references of non-compliance at quarry operations in the vicinity of the proposed Hitch Rack Ranch Quarry. The Permittee (Rocky Mountain Materials & Asphalt) was represented by Messrs. David Bieber, Mike Sheahan, Wayne Stoughton, and Rusty Cochran. Tim Cazier and Amy Eschberger represented the Division. This was also a joint inspection with the BLM (represented by Ms. Stephanie Carter) and the State Land Board (represented by Mr. Phil Courtney). The Red Canyon Quarry is accessed from Barret Road off Highway 115 about 14 miles north of Penrose. This is a 112c aggregate, sand and gravel mine. It was operating at the time of the inspection.

Availability of Records: Annual fees are paid through May 2017. The previous inspection was on October 9, 2015. The approved post-mine land use is forestry. There are no open infractions.

Backfilling and Grading: The Operator had begun grading material for reclamation prior to this inspection (**Photo 1**). Sufficient backfill material appeared available for reclamation.

Excess Spoil and Dev. Waste: (see Topsoil discussion below).

Explosives: The mine has filed a blasting plan with DRMS and blasting reports are kept on file in the site office as well as being submitted to the DRMS. They continue to notice the Division and a local resident of planned blasting operations via email 72 hours in advance as required by the Division after a complaint was received from the resident in 2015. Blast reports submitted subsequent to each blasting event are reviewed by the Division. Air blasts and ground vibrations have been below permit and industry limits.

Financial Warranty: The \$334,000 bond held by the Division is adequate for the observed mine disturbance.

Fish and Wildlife: No impact to fish or wildlife was observed.

Hydrologic Balance: The Division was recently notified of an application for a Substitute Water Supply Plan (SWSP) through the Division of Water Resources for the site sediment pond (**Photo 2**) which has been determined to expose groundwater. Mr. Bieber stated during this inspection the SWSP had been approved by the DWR. The Division received a copy of the SWSP on February 9, 2018. During the review of the need for an SWSP, the Permittee committed to submitting a technical revision (TR) to adjust the size of the sediment pond as some of the design volume is now consumed by exposed groundwater. The Division expects to receive this TR within 60 days of the date of this report (April 28, 2018).

Gen. Compliance with Mine Plan: The operation appeared to be in compliance with the approved mine plan with the exception of possibly affecting area outside the permit boundary as discussed in "Off-site Damage" below. Google Earth was used to measure the disturbed area, which was estimated to be approximately 55 acres. High walls between benches observed to be approximately 40 feet in height and appeared stable (see **Photo 3**). The Operator is currently mining in Phase 1. Mr. Bieber indicated they have an interest in expanding the permit area towards the west.

Off-site Damage: The operation appeared to be confined to the permit boundary, with the possible exception of the exploration road cut (**Photo 4**) west and uphill of the truck scale. Mr. Bieber pointed out the new road thinking it may be outside the permit boundary. The west side of the permit boundary has not been marked as

it was not planned to be disturbed for quite some time. Now that mine disturbance has progressed to the west, the lack of boundary markers on the west permit boundary is cited as a problem under Signs and Markers. The west boundary markers will need to be placed as part of the Corrective Action for this problem. Once the boundary markers are placed, the Division will determine whether or not mining activity has occurred outside the permit boundary. If this proves to be the case, additional problems may be cited. As this disturbance is related to exploration and Mr. Bieber indicated the Operation is interested possible westward expansion, the Division strongly encourages the Permittee to apply for a construction materials Notice of Intent (NOI) to explore. When approved by the Division, an NOI would cover reclamation requirements for exploration related activity.

Processing Waste: The Operator has found a market for the fines stockpile (**Photo 5**), so it is now considered product, rather than waste.

Roads: Mr. Bieber stated they are using magnesium chloride on the haul roads, limiting the amount of dust generated. The roads are not likely to be a source of sediment that could be tracked to a paved road.

Reclamation Success: The Operator has begun grading and topsoil placement on the top of the ridge (**Photo 3**) in Phase 1. Mr. Bieber indicated the topsoil would likely need fertilizer and/or soil amendments.

Revegetation: No revegetation had been initiated at this site at the time of the inspection. No noxious weeds were observed.

Sediment Control: No erosion problems were observed and no BMPs were needed at the time of the inspection.

Signs and Markers: The permit number was missing from the mine's sign (see **Photo 6**) at the time of the inspection. The Permittee added the MLRB permit number to the sign and emailed a photo (see **Photo 7**) to the Division two days after this inspection. As discussed above under Off-site Damage, **the lack of boundary markers on the west permit boundary is cited as a problem on page 1 of this report.**

Support Facilities On-site: A screen plant (including crushers) and related equipment were observed on site.

Permit Stipulations:

Stipulation 2. The applicant shall be required to submit a technical revision, pursuant to the requirements of Rule 1.9, addressing hydrologic conditions and requirements of an approved SWMP, from areas outside the existing 55 acre stormwater runoff assessment area. The Technical revision must be approved by the DMG prior to the Applicant disturbing any acreage outside the existing 55 acre study area. Such revision shall be prepared in consultation with the Colorado Water Conservation Board.

Stipulation 3. The applicant will conduct blasting operations only from dawn to dusk and place signs warning people of a threatened species in the area.

Storm Water MGT Plan: No oil or fuel spills were observed.

Topsoil: The Operator does not distinguish between topsoil and overburden, however this material has been salvaged for reclamation.

Summary and Recommendations:

- The technical revision for the redesign of the sediment pond is due to the Division 60 days after the

signature date of this report **(due April 28, 2018)**.

- Documentation demonstrating the installation of west side permit boundary markers is due **April 28, 2018) to the Division.**
- The Operator is performing exploration near the boundaries of the current permit boundary. The Division strongly recommends an application for Notice of Intent to conduct exploration (NOI) be submitted to the Division as soon as possible to cover potential exploration activity outside the permit boundary.

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

PHOTOGRAPHS



Photo 1. Grading material for reclamation (top of Phase 1 ridge, looking SSW).

PHOTOGRAPHS (cont.)



Photo 2. Site sediment pond (looking east).

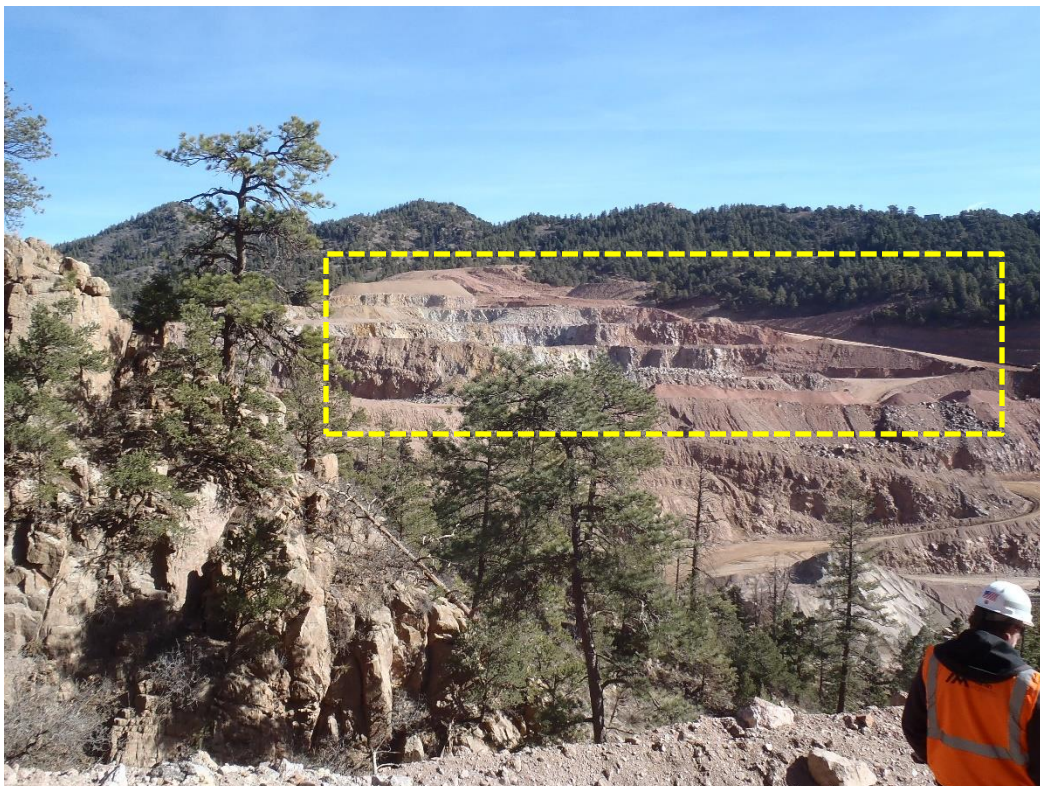


Photo 3. Highwalls between benches, approximately 40 feet in height and stable (looking NE).

PHOTOGRAPHS (cont.)



Photo 4. Exploration road cut west and uphill of the truck scale (looking SW).



Photo 5. Fines stockpile, now considered product, rather than waste (looking east).

PHOTOGRAPHS (cont.)



Photo 6. Sign near entrance missing permit number.



Photo 7. Permit number added to sign near entrance.

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>Y</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>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- PB	(SP) STORM WATER MGT PLAN---- <u>N</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

Dave Bieber
Rocky Mountain Materials and Asphalt, Inc.
c/o Martin Marietta Materials, Inc.
1627 Cole Boulevard, Suite 200
Lakewood, CO 80401

ec: Amy Eschberger, DRMS
DRMS file
Stephanie Carter, BLM
Phil Courtney, SLB