


**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> Deer Trail Pit	<b>MINE/PROSPECTING ID#:</b> M-1988-090	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Arapahoe
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Jared L. Ebert	<b>INSP. DATE:</b> February 15, 2018	<b>INSP. TIME:</b> 11:45
<b>OPERATOR:</b> 5A Aggregate LLC	<b>OPERATOR REPRESENTATIVE:</b> None	<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> \$32,702.00
<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> March 29, 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:** Backfilling & Grading, Gen. Mining Plan Compliance & Reclamation Plan/Compliance  
**PROBLEM:** The Operator is not following the phased mining and reclamation plan by not backfilling, grading, topsoiling and conducting revegetation in the five acre phased approach approved in the mining and reclamation plan. Given this, the Operator is not conducting reclamation as prescribed in the reclamation plan in accordance with C.R.S. 34-32.5-116(1)

**CORRECTIVE ACTIONS:** Complete backfilling, grading, topsoiling and seeding in accordance with the approved plan on at least 6.8 acres of affected land. Mining appears to be complete within the affected area cited in this report along County Road 213/Bartlett Road and this 6.8 acres shall include this area. By the corrective action date, the Operator shall submit a written notice, photographic documentation and a map documenting the completion of reclamation.

**CORRECTIVE ACTION DUE DATE:** 5/31/2018

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM:** The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Rule 3.1.12(1).

**CORRECTIVE ACTIONS:** The Operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit

number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 4/30/18

## **OBSERVATIONS**

This was a monitoring inspection of the Deer Trail Pit, DRMS Permit No. M-1988-090 operated by 5A Aggregate, LLC. (5A or Operator). I, Jared Ebert of the Colorado Division of Reclamation, Mining and Safety (DRMS or Division) conducted the inspection. Mr. Richard Stokes with 5A was aware of the inspection but was unable to attend. This is a 60 acre 112c construction materials operation for sand and gravel. The post mining land use of the site is designated as pastureland.

### **Backfilling and Grading:**

The permit area encompasses a previous 110c mining operation and a 111c mining operation (M-1988-090 and M-1996-016 respectively). The former 110c area is located in the northeast corner of the site. Overall, it appears this area is reclaimed and dense grass has established throughout the site. The majority of the affected area is located in the northwest corner of the site partially in the former 111c mining area. In 1996, the M-1988-090 permit was converted into the current 112c permit with the approval of a conversion application (CN-01). The mining and reclamation plan approved with CN-01 required the site to be mined in five acre phases (P-1 to P-5 etc.) with concurrent reclamation. The current affected area was measured to be about 11.8 acres and it encompasses portions of the P-1, P-2 and P-3 phase areas. The site consists of the western highwall that runs north and south adjacent to County Road 213/Bartlett Road. The southern highwall runs east and west near the southern edge of the P-1 and P-3 phase boundary. Upon review of the Operators annual reports, the last noted excavation, hauling and processing at the site occurred in October of 2015. Excavation at that time appears to have occurred in the southeast corner of the affected area observed during this inspection. This area consists of an excavation and a large pile of mined material. Vegetation has begun to establish on the stockpile. The Operator has not been authorized to cease operations.

The Operator is required to conduct a phased mining and reclamation plan and the operation is not being conducted in accordance with this plan. This issue is cited at the beginning of this report as a problem. Specifically, the approved plans indicate the Operator shall actively mine 5 acres, will actively replace overburden and construct the final slopes and spread topsoil on 5 acres and will be revegetating 5 acres. Of the 11.8 acres currently affected, little to no reclamation has occurred. Given the 11.8 acres of disturbance, only 5 acres should actively be mined, 5 acres should be being backfilled, graded and topsoiled and the remaining area should be undergoing revegetation.

The Division will require the Operator to conduct reclamation on 6.8 acres of affected land. Mining appears to be complete in the western end of the affected area adjacent to County Road 213/Bartlett Road and the Operator must begin backfilling the highwall in this portion of the site to the final reclamation grade and conducting reclamation as prescribed in the reclamation plan. Of the 6.8 acres requiring reclamation, the western highwall area will need to be included in the reclaimed area.

### **Financial Warranty:**

The Division currently holds a Financial Warranty in the amount of \$32,702.00. This amount is adequate to complete reclamation at the site.

### **Hydrologic Balance:**

The pit was dry at the time of the inspection.

Gen. Compliance With Mine Plan:

The Operator is not conducting the mining and reclamation in the phased approach as prescribed in the reclamation plan, this issue is cited as a problem at the beginning of this report.

Off-site Damage:

The Division cautions the Operator that the affected land is very near the northern and western permit boundary and any additional mining and reclamation work must not affect land outside of the boundary.

Reclamation Success:

The Operator is not conducting the mining and reclamation in the phased approach as prescribed in the reclamation plan, this issue is cited as a problem at the beginning of this report.

**PHOTOGRAPHS**



**Figure 1. From the north end of the western highwall looking southeast.**



**Figure 2. From the north end of the western highwall looking east.**





Figure 3. From the northeast corner of the former 111c area looking north.



Figure 4. From the northeast end of the affected area looking southwest.



Figure 5. From the south central end of the affected area looking north at the 2015 excavation area.



Figure 6. Southern highwall from the east end looking west.





Figure 7. Southern highwall from the west end looking east.



## Deer Trail Pit, M-1988-090

February 15, 2018 Inspection



### 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>NA</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>PB</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>NA</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>PB</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</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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