




**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> Schmidt Site	<b>MINE/PROSPECTING ID#:</b> M-2011-014	<b>MINERAL:</b> Borrow material for	<b>COUNTY:</b> Archuleta
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Lucas J. West	<b>INSP. DATE:</b> June 7, 2018	<b>INSP. TIME:</b> 09:30
<b>OPERATOR:</b> Dale and Ellen Schmidt	<b>OPERATOR REPRESENTATIVE:</b> Dale and Ellen Schmidt	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Priority	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$7,404.00	
<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> June 22, 2018	

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(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----- <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

## **OBSERVATIONS**

This inspection was conducted as a follow up to the inspection conducted on May 2, 2018. The Schmidt Site is an active 110(c) Operation that consists of 2.7 Permitted Acres located in Archuleta County. The site lies just off River Run Road in the Aspen Springs Subdivision approximately 10 Miles West of Pagosa Springs at nearly 7,000 Feet in Elevation. In addition to the Operator and Inspector listed on Page One of this report, Nathan Barton of Wasteline Inc. the Operator's consultant was present during the inspection. The Division currently holds \$7,404.00 in Financial Warranty for the site. Four Photos accompany this report to illustrate the current site conditions.

During the previous inspection several site problems including offsite impacts and failure to follow the approved Mine plan were cited. Enforcement action for the outstanding problems and offsite impacts is pending. The proper mine identification signage has been posted as seen in Photo One. Photos Two and three show that the Operator has properly marked the permit boundaries. Both items were part of the corrective actions required by the May 2, 2018 Inspection. These two problems are considered abated. The remaining problems that will need to be addressed will be the submission of a Technical Revision to address the highwall near the entrance to the site, a construction schedule for the storm water management structures as well as the submission of an interim bond. The details of these corrective actions have been addressed through the Consent Agreement that has been signed by the Operator and will be considered by the Mined Land Reclamation Board during the June Hearing.

Two areas were identified to have possible offsite impacts, have been verified by a survey and are the subject of the enforcement action. The two areas are along the access road leading from the parking and storage area up to the home site. During the improvement of the road, material generated by the activity was pushed offsite. The total offsite impact was measured at less than 110 Square Feet as verified by the independent survey of the site. Without the advisement of the Division, the Operator removed the material from neighboring properties and adjusted the road to ensure no further impacts to offsite areas occur. The areas of offsite impacts with the material removed can be seen in Photos Three and Four.

The Consent Agreement will address the remaining corrective actions required of the areas of offsite impacts, the required Technical Revision as well as the interim bond amount. Once approved by the Mined Land Reclamation Board during the June 27-28, 2018 hearing the Division will contact the Operator to provide guidance in completing the corrective actions. All responses to this report should be directed to Lucas West at the Colorado Division of Reclamation, Mining and Safety at 1313 Sherman Street, Room 215 Denver, CO 80203, by phone at (970)-243-6368 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).



## PHOTOGRAPHS



Photo One: View South, showing the proper Mine ID sign that has been posted as part of the corrective actions.

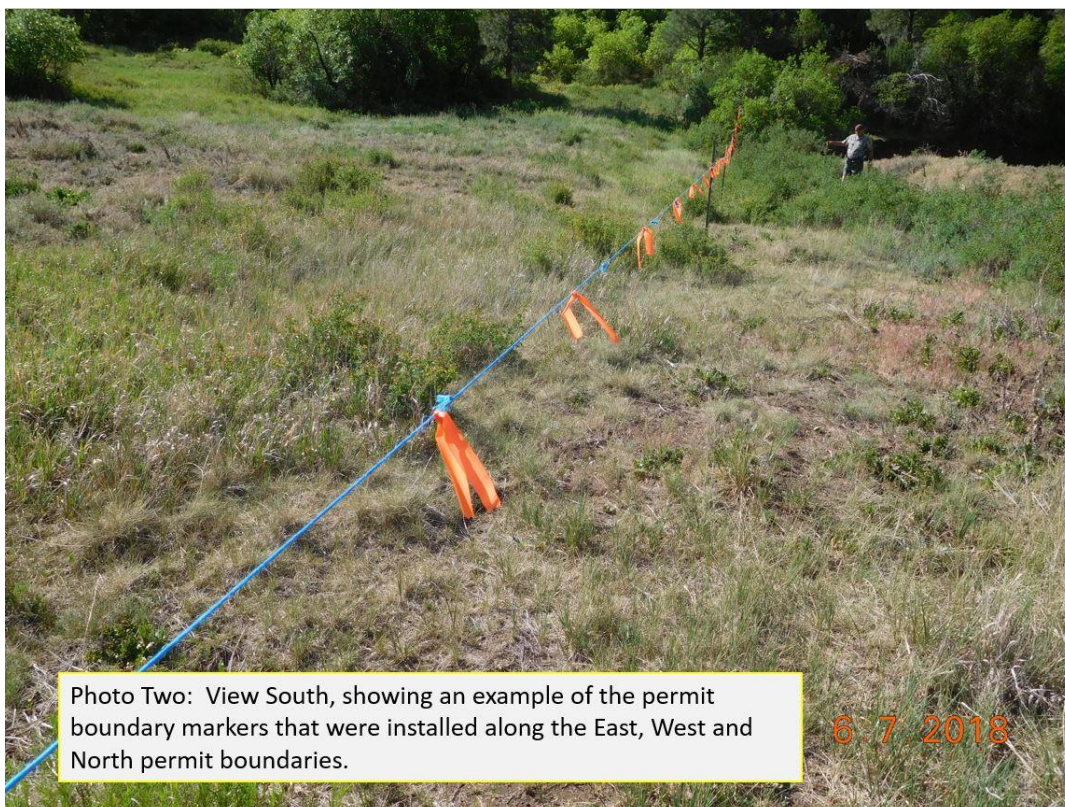


Photo Two: View South, showing an example of the permit boundary markers that were installed along the East, West and North permit boundaries.





**Inspection Contact Address**

Dale and Ellen Schmidt  
472 Meadows Dr.  
Pagosa Springs, CO 81147

EC: Nathan Barton, Wasteline, Inc.