


**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: Virginia Acres	MINE/PROSPECTING ID#: M-1990-021	MINERAL: Sand and gravel	COUNTY: Mesa
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy C. Yeldell	INSP. DATE: September 26, 2018	INSP. TIME: 12:00
OPERATOR: Oldcastle SW Group, Inc. dba United Compa County	OPERATOR REPRESENTATIVE: Jason Burkey	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Priority	BOND CALCULATION TYPE: None	BOND AMOUNT: \$30,000.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: Colo. Wildlife	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 9, 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>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>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>NA</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>NA</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

The following topic(s) were identified as having Problems from the November 16, 2017 Inspection.

INSPECTION TOPIC: Reclamation Success

PROBLEM: Failure to follow approved reclamation plan, or current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 (1). The operator must follow approved reclamation plan or provide sufficient information to describe or identify how the operator intends to conduct reclamation.

CORRECTIVE ACTIONS: The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved reclamation plan to reflect existing and proposed activities by the corrective action date.

CORRECTIVE ACTION DUE DATE: 2/15/18 Extended to 4/1/2019

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety (Division) normal monitoring program. The purpose of this inspection was to help determine a path forward towards final reclamation and permit termination. Jason Burkey and Tyra Monger represented Oldcastle SW Group, Inc. Pete Firmin with Colorado Parks and Wildlife (CPW) represented the landowner. Amy Yeldell of the Division conducted the inspection.

Virginia Acres is a 112c permitted site that includes a total of 17.70 acres and has a \$30,000 bond. The post-mining land use for this pit is recreation. To date there have been no surety or acreage reductions. Mining was concluded around 2000. Since beginning final reclamation the operator has revised the seed mix and completed numerous reclamation efforts without site wide success.

This site has an unresolved inspection problem from the Divisions November 16, 2017 inspection. Corrective actions required that soil samples be taken and a technical revision to the reclamation plan be submitted. To date no technical revisions or soil samples have been submitted. The operator has since requested two 6 month extension requests. It is the Divisions understanding that this matter will be resolved by the April 1, 2019 deadline. Seasonally it is practical that not only can a revision to the reclamation plan be submitted but that plan could also be implemented by the corrective action due date.

The land has been turned over to CPW however Oldcastle remains the operator. The ultimate goal is to get the site released however if that is not obtainable in short order Oldcastle has indicated that they wish for CPW to take ownership of the permit through a succession of Operator and see through final reclamation. A permitting path forward could be an acreage reduction to release the successfully reclaimed areas. Then request a technical revision (TR) to address changes to the reclamation plan for the remaining areas based on the soil sample data. Next depending on the changes from the TR request for a surety reduction if the current liability is less than the currently held \$30,000 bond. Finally at that time the CPW may wish to take over the entire permit or the operator may retain the permit until final reclamation is completed the permit is terminated. Ultimately at this time it is Oldcastle's responsibility as the permit holder to achieve final reclamation and release.

This site has been in final reclamation for more than 5 year with no successful releases or extension requests as required by C.R.S 34-32.5-116(4)(q)(I). This is not cited as a problem at this time since the past inspection problem addresses the same issue. The Division strongly recommends that the operator compile a list of all reclamation actives completed to date and how each of their efforts vary. In a records search staff notice that the seed mix under TR-4 was changed back to the original application mix which was proved to be ineffective. A chronology list may better assist the operator in identifying which efforts have been proven to be futile and help guide for more successful future reclamation efforts. The Division also will use this list to help evaluate the future reclamation plan for effectiveness and provide input where possible.

The site was inactive and in final reclamation at the time of the inspection. No equipment, structures or mining related debris are on site. Mr. Burkey indicated that as their normal contractor for weed management was busy they have enlisted a different company's services. Kochia will be mowed down in the near future as a method of weed treatment. Several state listed noxious weeds are present throughout the pit, specifically knapweed, Russian Olive, Kochia, Halogeton and tamarisk.

This pit can be divided into two categories, dryland and riparian. Areas within approximately 10-15 ft. of the waters edge should be considered riparian, all other areas are dryland. Nearly the entire dryland which is primarily north of the lake area has been overran with Kochia and other noxious weeds. The only other plants that seems to be thriving in these dryland areas is mainly rabbit brush and a few clusters of wheatgrass. The dryland area with failed reclamation consists of approximately 3 acres.

The southern boundary is the River Front Trail. There are some areas void of vegetation due to trail maintenance and overuse by the public. Overall the riparian area seems to be stable and overall support the post mining land use of recreation. All slopes have been graded to a 3:1 slope or shallower. Wheatgrass and saltgrass appear to be thriving in the areas where the water level has dropped due to the drought. Some rushes and other riparian grasses have also established adjacent to the water. The upper lake shores are stabilized with reedgrass, rabbit brush, tamarisk and Russian Olive. Reclamation in this area was completed prior to 2005 therefore Russian Olive and Tamarisk are allowed because it was grandfathered in. The Division still recommends that if practical these species be removed or at least maintained to improve the recreation accessibility to the pond. The operator is encouraged to seek a partial release (acreage reduction) for this lake area where reclamation has been successfully completed. If an acreage reduction release request is submitted within 60 days of this inspection report than this will also serve as the release inspection.

Responses to this inspection report should be directed to: 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

Inspection Contact Address

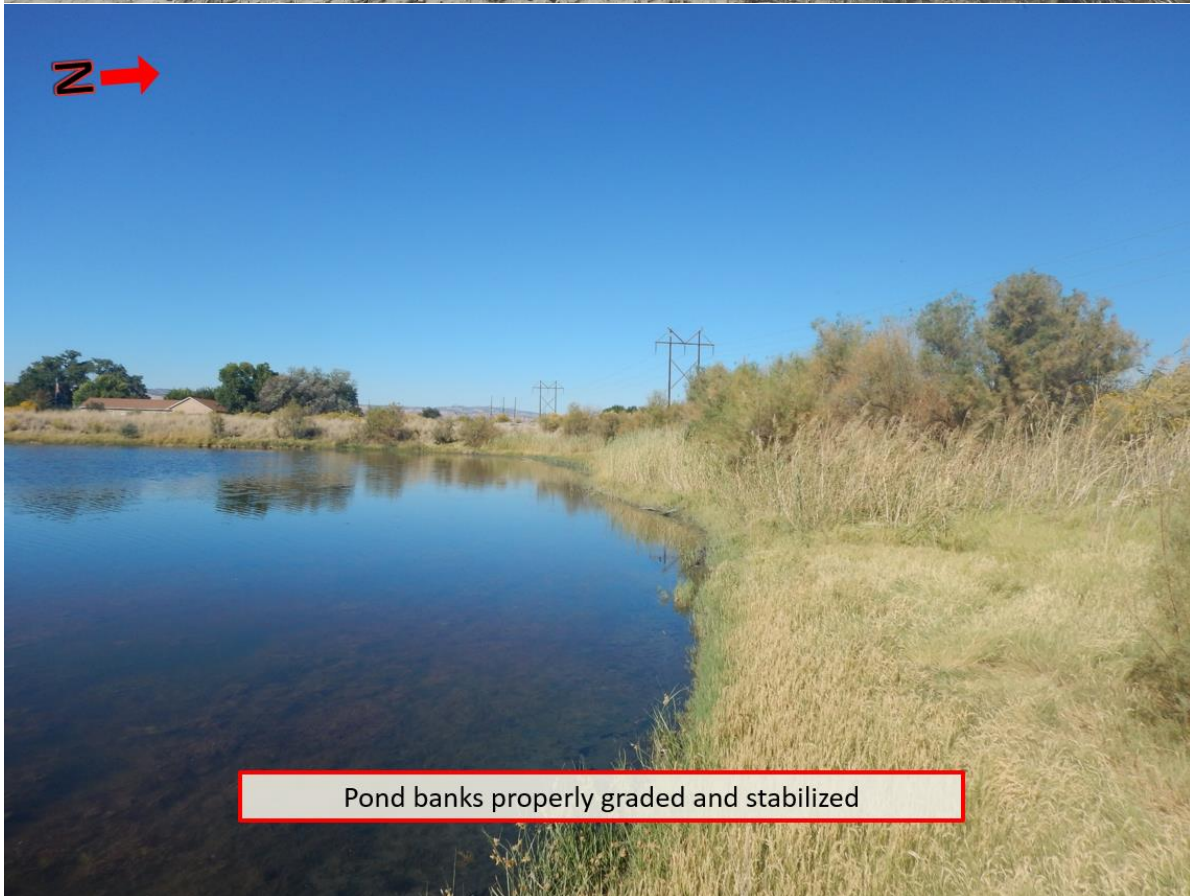
Jason Burkey
Oldcastle SW Group, Inc. dba United Companies of Mesa County
P.O. Box 3609
Grand Junction, CO 81502

Enclosure

CC:
Wally Erickson, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS







Volunteer of Russian Olive and Tamarisk around pond



Variety of species thriving in riparian area

