


**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: Midway Pit	MINE/PROSPECTING ID#: M-1988-018	MINERAL: Sand and gravel	COUNTY: El Paso
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy A. Cazier	INSP. DATE: October 2, 2018	INSP. TIME: 12:30
OPERATOR: Midway Aggregates, RLLP	OPERATOR REPRESENTATIVE: David King	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$62,260.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: January 23, 2019

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: Revegetation

PROBLEM/POSSIBLE VIOLATION: Problem: Tamarisk (salt cedar) trees and Russian olive trees are present within or have volunteered into the permit area and are becoming established. This is a problem for failure to employ weed control methods for a state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

CORRECTIVE ACTIONS: The operator shall either implement the existing weed control plan, or develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 3/24/19

OBSERVATIONS

This inspection was conducted by Tim Cazier (DRMS) as part of the regular monitoring program. The Permittee (Midway Aggregates) was represented by Mr. David King during the inspection. This is a 112c sand and gravel mine. The mine was operating at the time of the inspection. The Midway Pit site is approximately 21 miles south of the city of Colorado Springs just west of I-25. Access is from exit 119.

Availability of Records: Annual fees are paid through August 2018. The previous inspection was on September 25, 2014. The approved post-mine land use is rangeland. There are no open infractions. Both the surface and minerals are privately owned.

Backfilling and Grading: Sufficient backfill material appeared to be available.

Financial Warranty: A surety increase was imposed in 2017. The \$62,260 bond held by the Division is adequate for the observed mine disturbance.

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed.

Gen. Compliance with Mine Plan: The operation appeared to be in compliance with the approved mine plan. Google Earth was used to measure the disturbed area, which was estimated to be approximately 32 acres, based on 2017 imagery. The southeast area of the permit was being actively worked.

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review and observed boundary markers.

Processing Waste: No processing waste was observed.

Roads: Haul and access roads did not appear to be a source of sediment that could be tracked to a paved road.

Reclamation Success: No reclamation has been initiated.

Revegetation: Some tamarisk (salt cedar) and Russian olive trees were observed (see **Photos 1 and 2**). **The presence of tamarisk and Russian olive (Colorado noxious weed List B species) is cited as a problem on page 1 of this report.**

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

Support Facilities On-site: A backhoe (see **Photo 3**) and dump truck were observed on site.

Signs and Markers: The right half of the permit sign was properly posted (see **Photo 4**). Apparently, the wind had ripped off the left half. The DRMS will not cite this as a problem, but [the permit sign does need to be replaced](#). Fences mark a majority of the affected area boundary (see **Photos 5 and 6**). There was some discussion as to whether the fences on the southeast were at the property boundary or the affected area boundary. [Mr. King committed to verifying the fence on the south side towards the east end and the marker post area are coincident with the affected area boundary in that area. The verification of affected area boundary markers will prevent potential future problems with respect to mining outside the affected area boundary.](#)

Permit Stipulations: There are no open permit stipulations.

Storm Water MGT Plan: No oil or fuel spills observed. Water and wetland vegetation were observed in the lined stormwater ponds (see **Photos 7 and 8**).

Topsoil: Topsoil stockpiles were observed as berms on the top of highwalls. Mr. King also stated some imported topsoil from Ft. Carson was stockpiled in the southeast area of the permit area.

Structures: A powerline was observed within the permit boundary (see **Photo 9**). A utility agreement with Public Service Company of Colorado (Xcel Energy) for this powerline was obtained subsequent to the previous inspection.

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. Tamarisk near east lined sediment pond requiring noxious weed control.

PHOTOGRAPHS (cont.)



Photo 2. Tamarisk & Russian olive trees requiring noxious weed control (west of lined sediment ponds).



Photo 3. Backhoe in active area, waiting for the next truck (south east corner of site).

PHOTOGRAPHS (cont.)



Photo 4. Permit sign (at entrance).



Photo 5. North fence, running east-west (looking east).

PHOTOGRAPHS (cont.)



Photo 6. West fence, running north-south (looking south).



Photo 7. East lined sediment pond (looking SE).

PHOTOGRAPHS (cont.)



Photo 8. West lined sediment pond (looking SW).



Photo 9. Powerline running east-west on north side of pit (looking west).

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>NA</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---- PB
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</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

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ec: DRMS file
David King, Midway Aggregates