



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: Pino Pit	MINE/PROSPECTING ID#: M-2000-118	MINERAL: Sand and gravel	COUNTY: Huerfano
INSPECTION TYPE: Monitoring	INSPECTOR(S): Patrick Lennberg and Michael Cunningham	INSP. DATE: January 25, 2019	INSP. TIME: 13:30
OPERATOR: APC Southern Construction Co., LLC	OPERATOR REPRESENTATIVE: Jim MacDonald and Rick Pounds	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$145,300.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: February 13, 2019

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>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>PB</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

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

COMPLIANCE PROBLEM: The permit boundary markers are incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Rule 3.1.12(2).

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

CORRECTIVE ACTION DUE DATE: 3/22/19

OBSERVATIONS

The Pino Pit was inspected by Patrick Lennberg and Michael Cunningham with the Division of Reclamation, Mining and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring inspection program. The site was previously inspected by the Division on January 27, 2014. Jim MacDonald and Rick Pounds with APC Southern Construction LLC accompanied us during the inspection. The weather was cold, the sky was clear and there patches of snow covering the ground.

The Pino Pit is located 12 miles northwest of Walsenburg, CO. The pit is a 112c permitted for 80 acres with an approved maximum allowed disturbance of 35 acres. The approved post-mining land use is rangeland. A mine sign was observed as required by Rule 3.1.12.

The site is being mined from east to west with the most recent mining activities occurring in the western portion. The western pit has been temporarily graded to get rid of any highwalls and minimize erosion. The eastern pit has not been active since the last inspection which stated that the pit walls had been graded to approximately 2H:1V and some reclamation has taken place. The slopes of both pits showed some rilling but all sediment is contained within the pits which are 30 to 40 feet deep. All slopes will need to be graded to a minimum of 3H:1V, erosion gullies repaired and stabilized once final reclamation begins.

The site was not active at the time of inspection but there were several product stockpiles, recycled asphalt stockpile, and topsoil stockpiles. There appeared to be some plant growth on the topsoil stockpiles. The pit was used over the last year to support construction activities around the Trinidad area. However, at the time of inspection the operator stated that use of the pit in the upcoming year is uncertain due to the lack of contracts in the southern area of the state. The Operator is reminded, pursuant to Rule 1.13.5, if the site does not operate more than 180 days a year then the Operator must file a Notice of Temporary Cessation by submitting a Technical Revision.

During the inspection the operator took the Division on a tour to the permit boundary markers. The location of these markers were marked by the Division using a handheld GPS unit (Garmin 64 ST). Reviewing these locations in the office it appears that the western boundary markers are in the incorrect location and is being cited as a problem in this report. The operator will have to conduct a survey to correctly place the boundary markers. The mining activities appear to be within the 35 acre maximum disturbance allowed.

The financial warranty was recalculated as part of this inspection and there will be an increase. A copy of the Division's estimate will be provided to the Operator for review under a separate cover letter. Once the surety increase is issued by the Division, the Operator will have 60 days to provide the additional financial warranty.

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg (303)866-3567 ext. 8114 or email at patrick.lennberg@state.co.us if you have any questions regarding this report.

Inspection Contact Address

Jim MacDonald
APC Southern Construction Co., LLC
14802 W 44th Avenue
Golden, CO 80403

CC: Michael Cunningham, DRMS

PHOTOGRAPHS



Photo 1: Mine sign at entrance

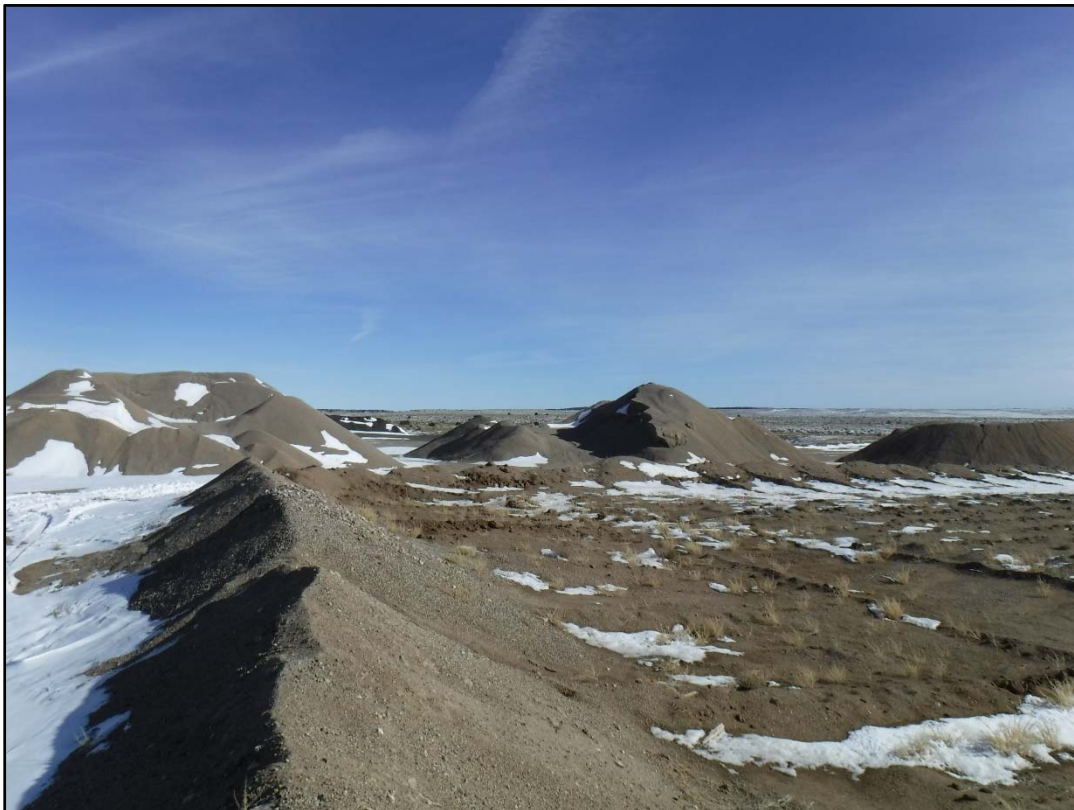


Photo 2: Product stockpiles, recycled asphalt stockpile in background



Photo 3: Looking south, topsoil stockpiles in background



Photo 4: Looking northwest from the southeastern corner of permit area, arrow indicates east pit location



Photo 5: Pit entrance area



Photo 6: Incorrectly placed boundary marker in the northwestern corner of permit area