


**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: Valco T Pit	MINE/PROSPECTING ID#: M-2004-043	MINERAL: Sand and gravel	COUNTY: Las Animas
INSPECTION TYPE: Monitoring	INSPECTOR(S): Jared L. Ebert	INSP. DATE: March 20, 2019	INSP. TIME: 10:07
OPERATOR: Larry and Christine Tortorice	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: High Priority	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$48,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: March 28, 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: Gen. Compliance With Mine Plan

PROBLEM: Rule 1.13.5 states, if an Operator temporarily ceases production of the mining operation for one hundred eighty (180) days or more, the Operator must file a Notice of Temporary Cessation in writing to the Office. The Operator has temporarily ceased production since September 29, 2014 without providing the required notice of Temporary Cessation.

CORRECTIVE ACTIONS: The start date of the initial 5 year Temporary Cessation period is retroactive to the last date the pit was active (September 29, 2014). If that date is more than 5 years ago, the operator is required to ask the Board for a 5 year extension to the Temporary Cessation period (per rule 1.13.5 (3) and 1.13.8 (b) or begin reclamation). The Operator must either reinstate the mining operation, initiate reclamation or submit a request to the Board for a second period of Temporary Cessation by the corrective action due date.

CORRECTIVE ACTION DUE DATE: 9/30/19

INSPECTION TOPIC: Signs & Markers

PROBLEM: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

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

CORRECTIVE ACTION DUE DATE: 5/01/19

OBSERVATIONS

This was a monitoring inspection of the Valco T Pit, Division of Reclamation, Mining and Safety (DRMS or Division) permit number M-2004-043, operated by Larry and Christine Tortorice. I, Jared Ebert with DRMS conducted the inspection. Ms. Christine Tortorice was aware of the inspection but did not attend.

This is a 112c mining operation with an approved permit area of 32.62 acres. The approved post-mining land use designated for this site is rangeland. Two former permitted operations were located adjacent to the Valco T Pit. These include the Heart T Pit(M-1986-097) and the Cusimano Pit (M-1991-035). These site were located to the north and northwest of the Valco T Pit and have both been terminated.

Availability Of Records:

Upon a review of the file for this site, two different permit boundaries are depicted on the various maps that were submitted with the original application in 2004. A map titled "Land Survey Plat, Mining Plan" depicts a surveyed permit boundary (a photocopy of this map is included with this report). This map depicts a 32.62-acre permit area. Several other maps such as the "Index Map" and the "Reclamation Map" depict a different shaped permit boundary (a photocopy of the Reclamation Map is included with this report). The reclamation plan map depicts a 38.28 acre permit boundary. The Division believes the "Land Survey Plat, Mining Plan" map accurately depicts the correct permit area and will therefore consider it the true depiction of the permit boundary as it is consistent with the approved acreage associated with this site. The Operator should use caution and stay within the approved permit boundary.

Backfilling and Grading:

A highwall exists at the site that has a eastern and northern aspect. The highwall is about 10 feet in height and is nearly vertical. The highwall is about 970 feet in length and is partially bisected by a trail/road that lead to the top of the highwall. Otherwise, pit floor is relatively gentle.

Financial Warranty:

The Division has estimated the liability at this site to be \$20,243.00. The operator currently has in place a letter of credit in the amount of \$48,000.00. The Operator would be eligible for a warranty reduction should they choose to request a surety reduction.

Hydrologic Balance:

The pit was dry at the time of the inspection.

Gen. Compliance With Mine Plan:

According to the 2017-2018 annual report, the last date of excavation, processing or hauling activity occurred on September 29, 2014 at this site. Rule 1.13.5 states, if an Operator temporarily ceases production of the mining operation for one hundred eighty (180) days or more, the Operator must file a Notice of Temporary Cessation in writing to the Office. The Operator appears to have temporarily ceased production since September 29, 2014 without providing the required notice of Temporary Cessation. The start date of the initial 5 year Temporary Cessation period is retroactive to the last date the pit was active (September 29, 2014). If that date is more than 5 years ago, the operator is required to ask the Board for a 5 year extension to the Temporary Cessation period (per rule 1.13.5 (3) and 1.13.8 (b) or begin reclamation). The Operator must either reinstate the mining operation, initiate reclamation or submit a request to the Board for a second

period of Temporary Cessation by the corrective action due date.

Reclamation Success:

Reclamation has not been initiated at this site.

Revegetation:

Revegetation has not been initiated at this site.

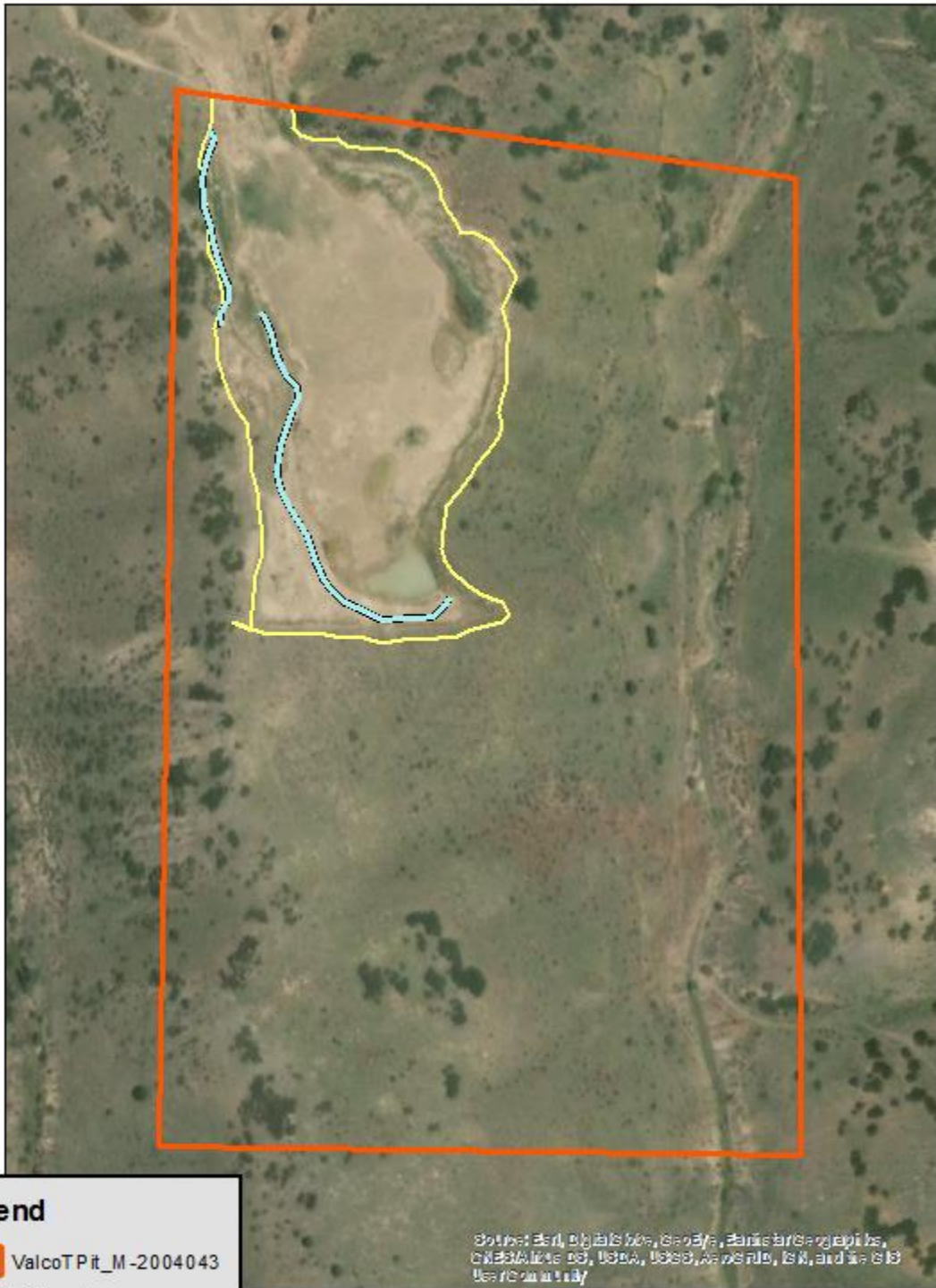
Signs and Markers:

Only one boundary marker was observed, the northwest corner marker. The Division could not located any of the other boundary markers. This issue is cited as a problem at the beginning of this report.

PHOTOGRAPHS

Valco T Pit, M-2004-043

March 20, 2019 DRMS Inspection



Legend

-  ValcoTPit_M-2004043
-  High walls
-  Affected Land

0 125 250 500 Feet

Map Created March 28, 2019
Jared Ebert, DRMS



Figure 1. From the north end of the affected land looking south.



Figure 2. From the southeast end of the highwall looking west.



Figure 3. From the southeast end of the affected land looking north.

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>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>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</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

Larry and Christine Tortorice
17512 County Road 83
Trinidad, CO 81082

Enclosure: 1.) 2004 Land Survey Plat, Mining Plan
2.) 2004 Valco T Pit Reclamation Map

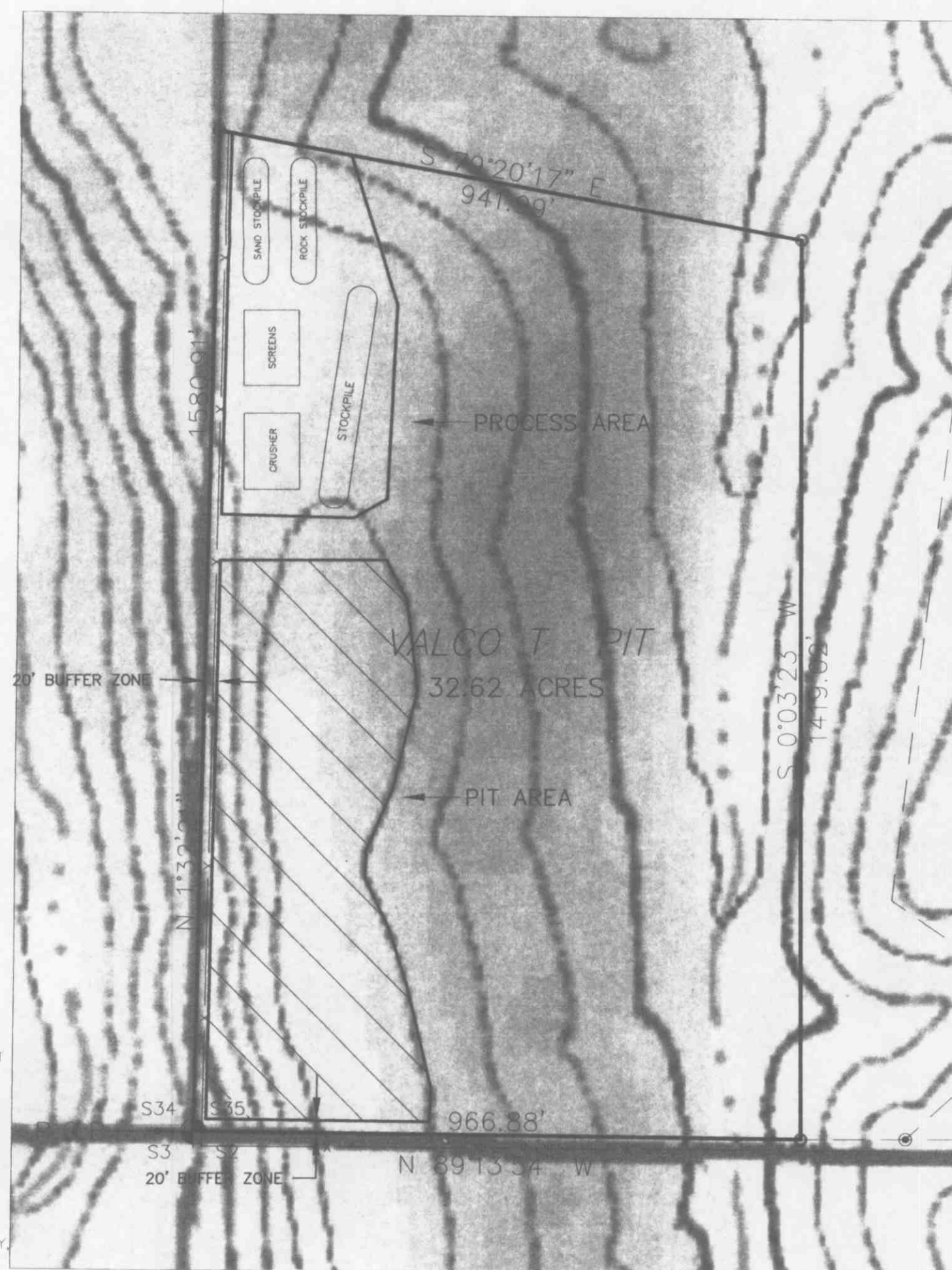
EC: c.tortorice3@gmail.com

LAND SURVEY PLAT
VALCO T PIT - TORTORICE PROPERTY
A TRACT OF LAND LOCATED IN PART OF THE
W1/2SW1/4 OF SECTION 35, TOWNSHIP 32
SOUTH, RANGE 63 WEST OF THE 6TH P.M.,
COUNTY OF LAS ANIMAS, STATE OF COLORADO

MINING PLAN

S27
S34
S26
S35
5355.67'
3778.34'
(N 1°32'21" E

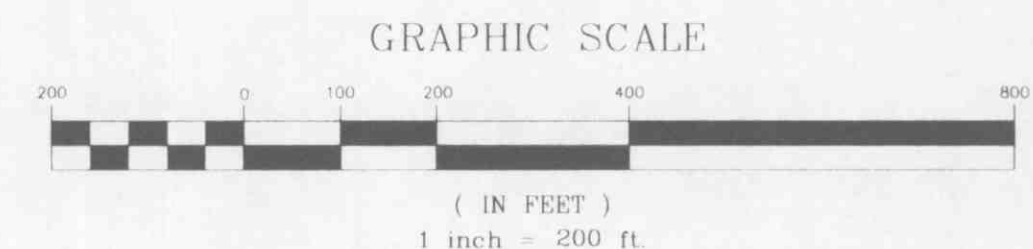
HEART T M-86-097 PIT



NOTE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTE: CLIENT REQUESTED THAT UTILITIES, EASEMENTS, OR RIGHT OF WAYS NOT BE RESEARCHED AND SHOWN.

NOTE: TERRY SURVEYING DID NOT DO A TITLE SEARCH TO DETERMINE OWNERSHIP, RIGHT OF WAY, OR EASEMENT OF RECORD.



DESCRIPTION - GRAVEL PIT BOUNDARY
A TRACT OF LAND LOCATED IN PART OF THE W1/2SW1/4 OF SECTION 35, TOWNSHIP 32 SOUTH, RANGE 63 WEST OF THE 6TH P.M., COUNTY OF LAS ANIMAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 35; THENCE N 01°32'21" E ALONG THE WEST LINE OF SAID SECTION, 1580.91 FEET TO A POINT; THENCE DEPARTING THE WEST LINE OF SECTION 35, S 79°20'17" E, 941.99 FEET TO A POINT; THENCE S 00°03'23" W, 1419.02 FEET TO A POINT; THENCE N 89°13'54' W, 966.88 FEET TO THE POINT OF BEGINNING, CONTAINING 32.62 ACRES.

BASIS OF BEARING
THE BEARING OF N 1°32'21" E ON THE WEST LINE OF SECTION 35 (MONUMENTS DESCRIBED ON PLAT) WAS OBTAINED FROM G.P.S. OBSERVATION USING N.G.S. CONTROL STATION "TRINIDAD II" (A STAINLESS STEEL ROD SET FLUSH WITH THE GROUND) AND PUBLISHED NAD83(1992) DATA, ALL BEARINGS ARE RELATIVE THEREOF.

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR CERTIFIES THAT THE SURVEY REPRESENTED BY THIS PLAT WAS SURVEYED UNDER HIS SUPERVISION AND DIRECTION AND IS CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.



LEGEND

- LOCATED 3/4" REBAR AND ALUMINUM CAP MARKED P.L.S. 12160.
- LOCATED 1/2" REBAR AND PLASTIC CAP MARKED P.L.S. 12160.
- SET 1/2" x 24" REBAR AND PLASTIC CAP MARKED P.L.S. 12160.
- EXISTING BARBED WIRE FENCE

Permit #: M2004043
Class: Permit
From: Valco Inc
Doc. Name: Mining Plan map
Doc. Date (if no date stamp): 6/1/04
Specialist: ASW
Confidential?:
Type-Seq.:
To: DUB

TERRY SURVEYING INC.

P.O. BOX 851 TRINIDAD, COLORADO 81082

SURVEY FOR	
VALCO INC.	
PART OF THE W1/2SW1/4 OF SECTION 35, TOWNSHIP 32 SOUTH, RANGE 63 WEST, LAS ANIMAS COUNTY, COLORADO	
DRAWN BY: GT-II	DATE: JUNE 01, 2004
CHECKED BY: G. TERRY	DRAWING NO.: 1066-04
JOB NO.: 3548-04	SHEET 1 OF 1

Valco T Pit Reclamation Map

35

Topsoil & Seeded area

5980'

6000'

6020'

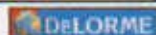
Topsoil & Seeded area (inside blue line)

40' Berm 2:1 slope

40' Berm (base) 2:1 slope

6045'

Prepared by Reid Jones
06/04/2004 utilizing DeLorme TopoQuads from USGS



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www.delorme.com

Scale 1" = 400 feet

