




**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety 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> Arnold Pit No. 1	<b>MINE/PROSPECTING ID#:</b> M-2016-022	<b>MINERAL:</b> Borrow material	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Peter S. Hays	<b>INSP. DATE:</b> April 23, 2019	<b>INSP. TIME:</b> 10:00
<b>OPERATOR:</b> Arnolds Custom Seeding, LLC	<b>OPERATOR REPRESENTATIVE:</b> None	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	

<b>REASON FOR INSPECTION:</b> Citizen Complaint	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$11,675.00
<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> May 9, 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:** Signs & Markers

**PROBLEM:** The mine identification sign and affected area boundary markers were not observed or were not compliant per the requirements of Rule 3.1.12.

**CORRECTIVE ACTIONS:** The Operator must post a sign at the entrance to the mine site which shall be clearly visible from the access road and specify the following; the name of the Operator, **indicate that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board**, and the permit number. The boundaries of the affected area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

**CORRECTIVE ACTION DUE DATE:** 6/8/19

## **OBSERVATIONS**

The Arnold Pit No. 1 was inspected by Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) in response to a citizen complaint (CT-01) received on April 2, 2019 from Tony Waldron through the Division's complaint intake tool. A copy of the complaint form was forwarded to the Operator on April 3, 2019. Mr. Doug Cook with Arnold's Custom Seeding was notified of the inspection, but was not present during the inspection.

The Waldron residence, 31312 County Road 16, Keenesburg, CO 80643, is located west of the Arnold Pit No. 1 site on County Road 16. The complaint form stated a track hoe was loading semi and tandem axle trucks with what appeared to be topsoil which is being transported off site to different locations. The activity was occurring on areas adjacent to permitted site, M-2016-022.

### **Complaint Investigation:**

Mr. Doug Cook with Arnolds Custom Seeding contacted the Division on May 3, 2019 to discuss the complaint following receiving the complaint notification. Mr. Cook stated the low-boy driver unloaded a dozer and excavator on the wrong site of the access road. The dozer was mobilized to the site to construct topsoil containment berms on the pending 110c to 112c permit conversion application area. The excavator operator mistakenly excavated material from the wrong side of the access road when trucks arrived according to Mr. Cook. Mr. Cook stated 10 truckloads left the site on May 2, 2019 and 4 or 5 truckloads left the site on May 3, 2019 prior to the Operator receiving the notice of the complaint from the Division. The Operator estimated 310 cubic yards of material left the site. The Operator voluntarily offered to truck the material back to the site the replace the material from where it was excavated at the site. The Division explained no mining related disturbance, including the construction of berms, was allowed on the future conversion area until the permit was approved and issued by the Division. The Operator stated he understood and would cease all activity at the site until the conversion permit was issued by the Division.

The Division identified an area approximately 200 feet wide and 500 feet long during the inspection which appeared to have been recently disturbed based on the lack of vegetation. The disturbance area had been regraded, disked and was consistent with the surrounding area.

The Division considers the complaint (CT-01) resolved due to the Operator admitting the mistake and voluntarily returning the removed topsoil material to the site. The Division will not pursue enforcement action against the Operator based on the complaint.

### **Monitoring Inspection:**

The Arnold Pit No. 1 is permitted for 9.99 acres of disturbance to remove topsoil from the site. The upper 4 inches of topsoil is stripped and stockpiled for reclamation using a dozer. The remaining 8 inches of topsoil is stripped and stockpiled using a dozer and front end loader. The stockpiled 8 inches of topsoil is loaded into trucks and hauled off site. The upper 4 inches of topsoil is replace during site reclamation.

The approved post-mining land use is cropland. The site is in final reclamation. The 110 permit area has been regraded to the approximate original elevation. The western portion of the site contained vegetation and the eastern portion was bare tilled ground. The Operator stated manure was hauled on-site and blended with the native material to reclaim the disturbance area to the approximate original elevation. The 110c permit area was consistent with the surrounding areas other than the amount of vegetation.

The mine identification sign located at the entrance of the site identified the site name, Operator and permit number, however the sign did not indicate a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board. Additionally, only the northeast boundary markers was identified by the Division during the inspection. As cited as a problem, the Division will require the Operator to update the mine sign, install the markers for the 110c permit boundary and provide photographic evidence both items are corrected by the corrective action date.

Photographs taken during the inspection and an inspection map created based on the inspection observations are attached. The Division received an 110c to 112c conversion application (CN-01) for the site on April 25, 2019. The conversion application is currently under review by the Division.

**Inspection Contact Address**

Doug Cook  
Arnolds Custom Seeding, LLC  
4626 CR 65  
Keenesburg, CO 80643

Enclosure – Inspection Map

Ec: Michael Cunningham, DRMS

## PHOTOGRAPHS



Arnold Pit No. 1 mine sign



View of the 110 permit area from the northwest corner looking east





View of the 110 permit area from the northwest corner looking southeast



View of the 110 permit area from the northwest corner looking south





View of the 110 permit area from the southwest corner looking north



View of the 110 permit area from the southwest corner looking northeast





View of the 110 permit area from the southwest corner looking east



View of the typical vegetation on the western portion of the 110c permit area





View of the disturbance area outside of the 110c permit area looking south from the east side of the access road



View of the disturbance area outside of the 110c permit area looking south from CR 16 at the difference in vegetation



### 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>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>Y</u>	(ST) STIPULATIONS----- <u>N</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