


**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: Everhart Pit	MINE/PROSPECTING ID#: M-1997-081	MINERAL: Gravel	COUNTY: Pueblo
INSPECTION TYPE: Monitoring	INSPECTOR(S): Patrick Lennberg	INSP. DATE: May 23, 2019	INSP. TIME: 13:15
OPERATOR: Pueblo County	OPERATOR REPRESENTATIVE: Andrew Ruybal	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 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: Permit Stipulations

PROBLEM/POSSIBLE VIOLATION: Problem: During the inspection it was discovered that the operator allowed affected lands to come within 25 feet of Red Creek. This is a problem pursuant to C.R.S. 34-32.5-112 (1)(c)(VI) for failure to follow the approved mine plan.

CORRECTIVE ACTIONS: The operator will reestablish the 150-200 foot buffer along Red Creek, reclaim all affected land, and clearly identify and mark the 150-200 foot buffer zone. Proof of compliance may be in the form of detailed photographs and GPS locations.

CORRECTIVE ACTION DUE DATE: 7/27/19

OBSERVATIONS

The Everhart Pit was inspected by Patrick Lennberg 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 March 15, 2016 during a routine inspection. Andrew Ruybal with Pueblo County accompanied me during the inspection. The weather was windy, and the sky was cloudy.

The Everhart Pit is located in Pueblo County approximately 20 miles west-southwest of Pueblo, Colorado. The Everhart Pit is a 280-acre 112c Construction Materials Reclamation Permit, with a maximum allowed disturbed area of 10 acres. The primary commodity mined at the site is sand and gravel for road base and repair. The approved post-mining land use is rangeland. The mine site was surrounded by the following land uses: rural residential and rangeland. A mine sign was observed as required by Rule 3.1.12.

The mining operation was not active during the inspection. At the present time it appears that the mining operation has affected approximately 10 acres throughout the life of mine. The Operator has conducted partial concurrent reclamation of the 10 acres. The reclaimed portions are vegetated by volunteer grasses and forbs. Portions of the affected lands have been backfilled and graded to 3H:1V or shallower slope.

In the active portion of the mine, in the northeast, the mining faces range from near vertical to 1.5H:1V. Along these faces there are a few erosion rills that have formed. The debris from these rills are contained within the pit area. There was adequate topsoil stockpiled on site to conduct the approved reclamation plan. There was a well vegetated topsoil stockpile in the southern portion of mine area. The topsoil stockpiles have adequate vegetative cover to protect the topsoil from erosion.

In the original permit application, the Operator agreed to keep a 150-200 foot buffer between affected land and Red Creek. During the inspection it was noted that mining had encroached to within 25 feet of the creek in the northeastern section of the currently mined area. This matter is being cited as a Problem in this report pursuant to C.R.S. 34-32.5-112 (1)(c)(VI) for failure to conduct mining as described in the mining plan.

There was an above ground fuel storage tank located in the southern portion of the mine. There appeared to be an adequate secondary containment structure built around the fuel storage tank. The secondary containment structure appeared to have enough volume to contain all contents of the fuel tank, plus an additional 10% or more capacity beyond the total capacity of stored petroleum products.

All mining activity appeared to be within the approved boundary. The Operator is at the maximum allowed disturbance of 10 acres. If the Operator plans on affecting more than the maximum allowed affected area of 10 acres, the Operator will need to file a Technical Revision (TR) to the approved permit to increase the maximum allowed disturbed area. If the Operator does not plan on affecting more than 10 acres, the Operator shall reclaim and seek release of portions of the site prior to advancing the mining operation.

The Division currently holds no financial warranty because it is a county operation.

The Division was able to GPS some permit boundary markers. All current mining is within the permit boundaries.

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

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EC: Andrew Ruybal, Road Supervisor Pueblo County, ruybal@pueblocounty.us

PHOTOGRAPHS



Photo 1: Mine sign at entrance off of County Road 201 (Siloam Road)



Photo 2: Material stockpiles produced by Colorado Crushing and AST (yellow arrow)



Photo 3: Reclaimed slope with volunteer vegetation well established



Photo 4: Topsoil stockpile are in the southern portion of mine area.



Photo 5: Recent mining face with erosion rills



Photo 6: Recently mined area, looking northwest, closest to Red Creek



Photo 7: Red Creek, left, and affected area at the right ~25 feet



Photo 8: Permit boundary marker.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>N</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>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</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>PB</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