




**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.

<b>MINE NAME:</b> Brann Pit	<b>MINE/PROSPECTING ID#:</b> M-1984-136	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Prowers
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Amy Eschberger	<b>INSP. DATE:</b> March 26, 2019	<b>INSP. TIME:</b> 15:10
<b>OPERATOR:</b> Prowers County	<b>OPERATOR REPRESENTATIVE:</b> Mark Dorenkamp	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$0.00	
<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> June 7, 2019	

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>NA</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>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</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 and found in compliance / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

## **OBSERVATIONS**

This was a normal monitoring inspection of the Brann Pit (Permit No. M-1984-136) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). Mr. Mark Dorenkamp represented the operator during the inspection. The site is located approximately 33 miles southeast of Lamar, CO in Prowers County. The site can be accessed from the west off Co Rd 16. **Photos 1-6** taken during the inspection are included with this report.

This is a 110c operation permitted for 9.9 acres to mine rock and gravel for county road construction and maintenance (see enclosed maps). The operation is mining the west face of a ridge just south of North Butte Creek. Approximately ½ acre of land at the northern end of the permit area was disturbed by historic mining activities. The current operation began mining from the southern edge of the existing pit, moving generally southward. Salvaged topsoil will be stockpiled at the edges of the pit until needed for reclamation. The operation will operate intermittently (for less than 180 days per year).

The approved post-mining land use for the site is rangeland. The approved reclamation plan includes relocating the adjacent section of Co Rd 16 to the pit area to straighten out the road. The existing road (located west of the permit area) will remain for use by the landowner. The reclamation plan also includes leveling off the pit floor to match the existing county road grade, leaving a 20 foot tall highwall along the eastern edge of the permit area with 2H:1V slopes, replacing topsoil on disturbed land at a depth of 15-20 inches, and revegetating the site with a rangeland seed mixture consisting of Buffalograss, Blue grama, Alkali sacaton, Little bluestem, Sandberg bluegrass, and Cicer milkvetch.

At the time of the inspection, the weather was clear and sunny. A permit sign was posted at the site entrance off Co Rd 16. The corners of the permit boundary were marked by metal posts. Additionally, the western permit boundary is adjacent to the county road, and the eastern permit boundary is adjacent to a barbed wire fence. The site was not active during the inspection. The operation has disturbed 2.6 acres in the northern half of the permit area. A west-facing highwall is present along the eastern edge of the pit, and is approximately 20 feet in height with near vertical slopes. The Division estimates the highwall to be 975 feet in length. A topsoil stockpile is stored at the southern edge of the pit. A few small piles of rock are stored on the pit floor. According to the operator, the county hauled off some of this rock during the last year. As long as the operation continues to haul off from stockpiled material, the permit will be considered active. However, once all the stockpiled material is gone, the operation will need to continue extraction to be considered active. Mineable material remains to the east and south of the existing pit. However, the operator is not sure they will continue mining this site.

The operation was in Temporary Cessation from November 22, 2010 through November 22, 2015. In its May 29, 2014 inspection report, the Division informed the operator that once the 1<sup>st</sup> 5-year term of Temporary Cessation expired in 2015, the operation would need to either recommence with mining activities (i.e., extraction, processing or hauling off from stockpiled material), complete final reclamation of the site, or file a notice for a 2<sup>nd</sup> 5-year term of Temporary Cessation. Pursuant to Rule 1.13.5(3), the notice for the 2<sup>nd</sup> period of Temporary Cessation shall include the following: demonstration the existing Financial Warranty is adequate to cover the reclamation liability (not applicable for this permit since the permittee is a government entity), explanation as to why the operator has not recommenced operations or begun reclamation, and demonstration of continued commitment to conduct mining operations at the site by the end of the 2<sup>nd</sup> 5-year period. As mentioned above, the site will be considered active as long as the operation continues to haul off from stockpiled material. However, once the material is removed, the operator will need to either continue extraction activities or file for Temporary Cessation.

If the operator does not intend to continue mining the site, then applying for a 2<sup>nd</sup> term of Temporary Cessation

is not appropriate. In this case, the operator will need to begin final reclamation of the site in accordance with Rule 3.1.3, which requires final reclamation be completed within 5 years of completion of mining. During the inspection, Mr. Dorenkamp indicated the county may no longer need to straighten out the county road. If this is the case, the operator will need to submit a Technical Revision (form enclosed) to revise the approved reclamation plan and reclamation plan map accordingly.

The Division also discussed with Mr. Dorenkamp the reclamation plan for the highwall, which requires a final slope configuration of 2H:1V. To cut and fill the highwall for reclamation, the operator will need at least 40 feet of room to the east to lay the 20 foot highwall back to a 2H:1V slope gradient. At this time, the edge of the highwall varies from approximately 55-165 feet from the eastern permit boundary, which would allow sufficient room to cut and fill the highwall for reclamation. If the operator prefers to backfill the slopes instead of using the cut and fill method, the backfill material could potentially be obtained on site by mining portions of the highwall where there is more space between it and the permit boundary. To import backfill material to the site for reclamation, the operator would need to submit a Technical Revision for Importation of Inert Fill (form enclosed).

The site appeared to be stable with grasses and shrubs volunteering across the pit floor and no erosion issues observed.

This concludes the report.

*Any questions or comments regarding this inspection report should be forwarded to Amy Eschberger at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 303-866-3567, ext. 8129, or via email at [amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us).*



## PHOTOGRAPHS



**Photo 1.** View of permit sign posted at site entrance off Co Rd 16.



**Photo 2.** View looking south, showing existing county road (at right) to be relocated to the pit floor for reclamation according to the approved reclamation plan.





**Photo 3.** View looking south at topsoil stockpile stored at southern edge of pit.



**Photo 4.** View looking southeast at southern portion of highwall, approximately 20 feet in height with near vertical slopes.





**Photo 5.** View looking east at central portion of highwall, approximately 20 feet in height with near vertical slopes. Note two small piles of rock stockpiled on pit floor.



**Photo 6.** View looking northeast at northern portion of highwall, approximately 20 feet in height with near vertical slopes.

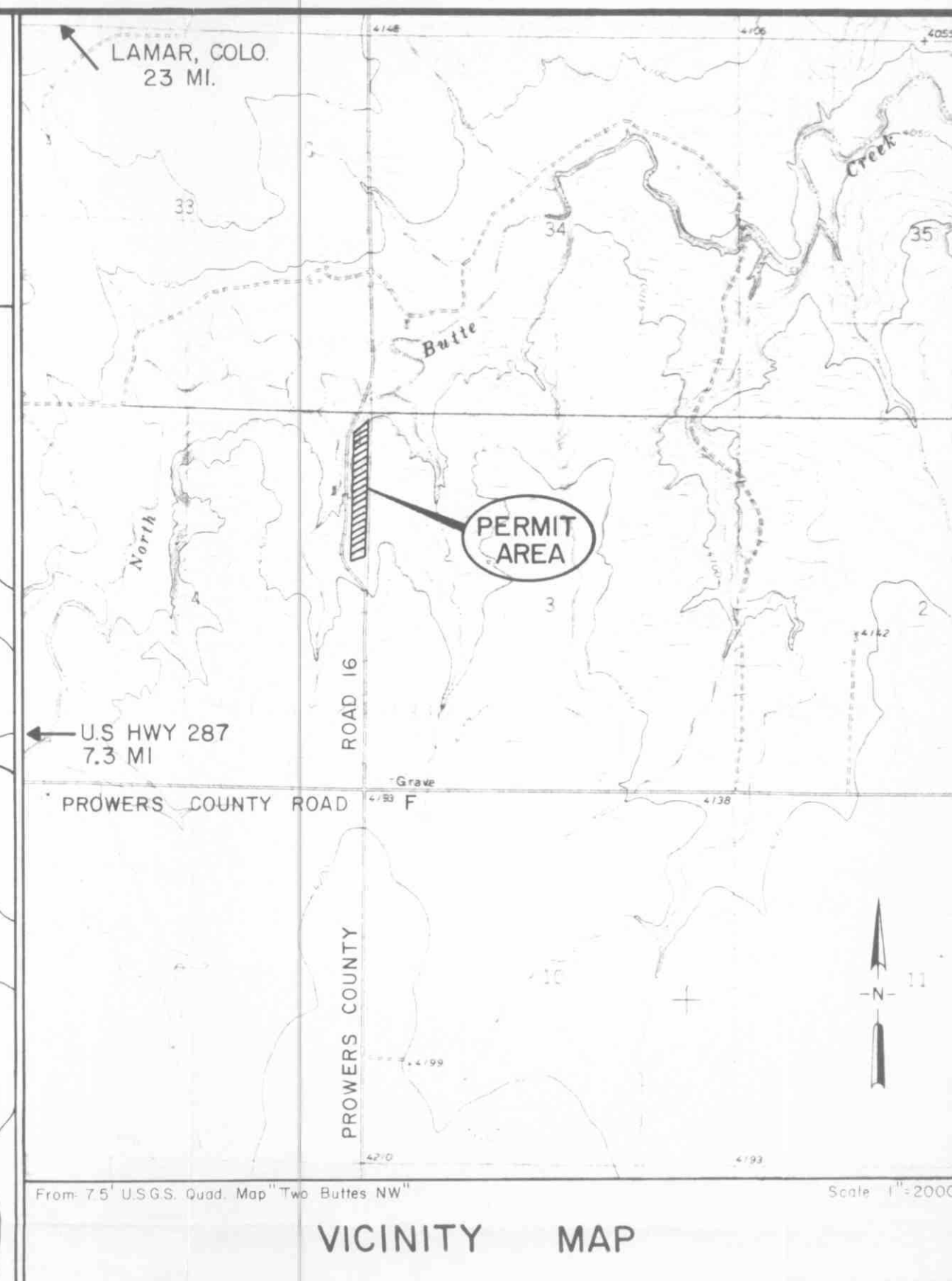
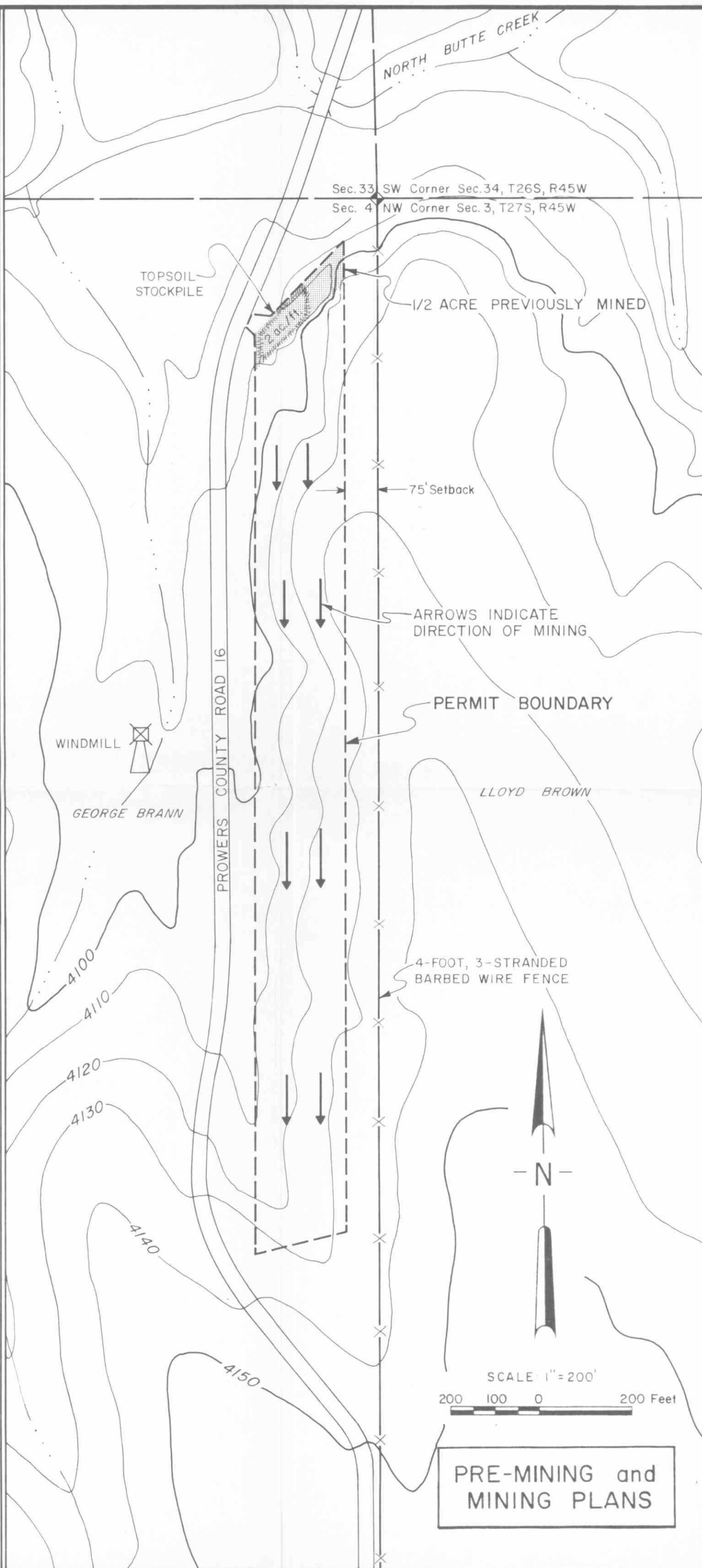
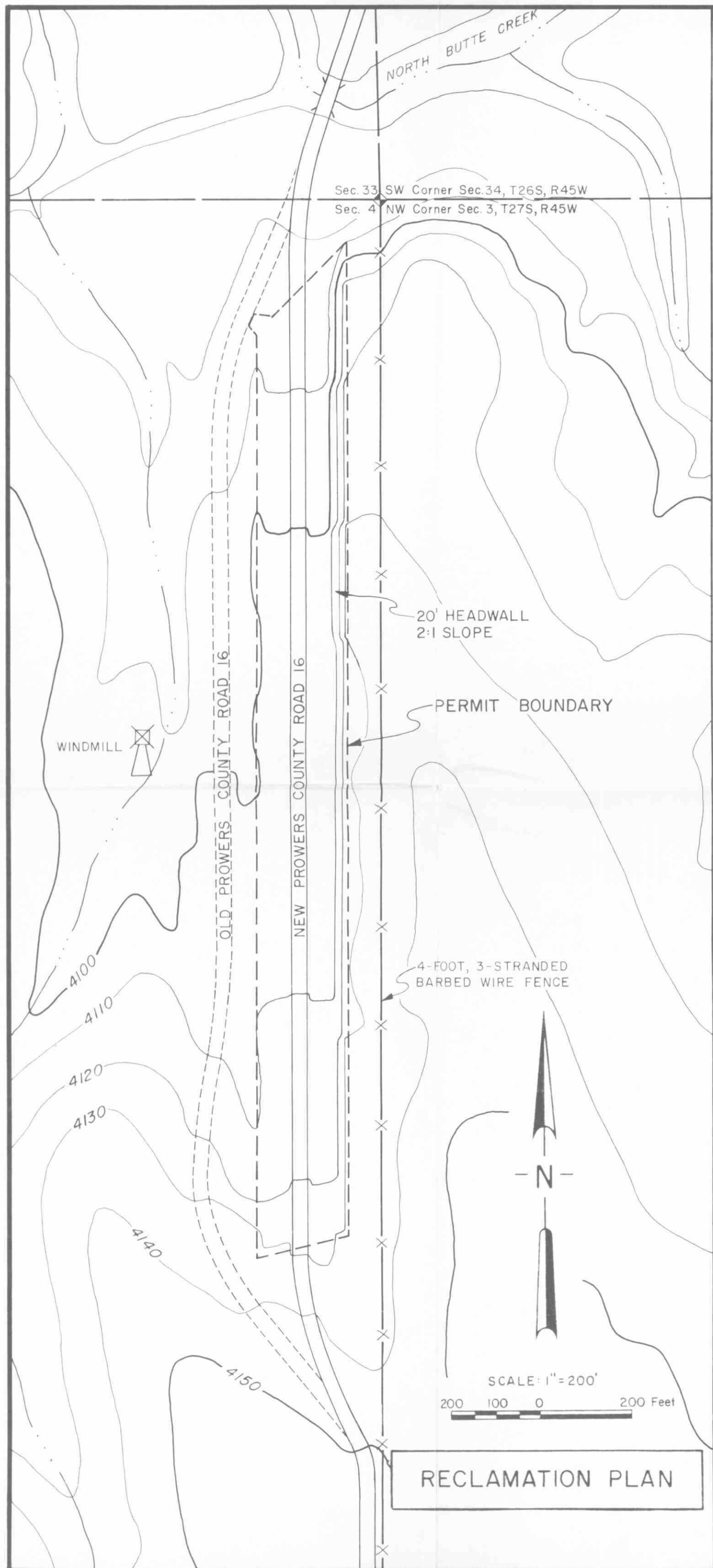
**Inspection Contact Address**

Mark Dorenkamp  
Prowers County  
109 E. Sherman St.  
Lamar, CO 81052

Encls:   Approved Mining and Reclamation Plan Maps (one document)  
          Technical Revision form  
          Technical Revision for Importation of Inert Fill form

CC:       Michael Cunningham, DRMS





**RECEIVED**  
AUG 03 1984  
MINED LAND RECLAMATION DIVISION  
Colo. Dept. of Natural Resources

**LEGAL DESCRIPTION**  
E 1/2 NE 1/4, Sec. 4, T27S, R45W, of the 6th P.M., Prowers County, Colorado.

CONTOUR INTERVAL = 10'

Permit Number 171984-136  
Class: ☒ Permit  
Section/Exhibit: \_\_\_\_\_  
Class: ☐ Revision  
Type/Seq: \_\_\_\_\_  
Class: ☐ Report ☐ Hydro ☐ General  
Doc Type: \_\_\_\_\_  
☐ Application (Coal only) ☐ Bond ☐ Enforcement ☐ Inspection

**Prowers County  
Brann Pit  
Pre-Mining, Mining & Reclamation Plans**

<b>RA</b>	RINDAHL & ASSOCIATES 2305 S. Syracuse Way Denver, Colorado 80231 303/696-6846	DATE 3-7-84	JOB NO 83-1206
		DRAWN BY RJA	CHECKED BY GFR
		SCALE AS SHOWN	
		SHEET	OF SHEETS





## COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

### REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- \_\_\_\_\_ Site Name: \_\_\_\_\_

County \_\_\_\_\_ TR# \_\_\_\_\_ (DRMS Use only)

Permittee: \_\_\_\_\_

Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

Please provide a brief description of the proposed revision: \_\_\_\_\_

As defined by the Minerals Rules, a Technical Revision (TR) is: “a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan.” The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered “filed for review” until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, CO 80203

### REQUEST FOR TECHNICAL REVISION (TR) Importation of Inert Fill

File No.: M-\_\_\_\_\_ Site Name: \_\_\_\_\_

County: \_\_\_\_\_ TR# \_\_\_\_\_ (DRMS Use only)

Permittee: \_\_\_\_\_

Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

The request for a TR is not considered “filed for review” until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR. Page 2 is designed to address the requirements of Rule 3.1.5(9). It is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted (mark only one)</u>
110c, 111, 112 construction materials, and 112 quarries	\$216	
112 hard rock (not DMO)	\$175	
110d, 112d(1, 2 or 3)	\$1006	
2018-2019 Wildfire Material Debris Removal	Waived	





## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, CO 80203

Rule 1.1(24)/1.1(20) "Inert Material" means non-water-soluble and non-putrescible solids together with such minor amounts and types of other materials, unless such materials are acid or toxic producing, as will not significantly affect the inert nature of such solids. The term includes, but is not limited to, earth, sand, gravel, rock, concrete which has been in a hardened state for at least sixty days, masonry, asphalt paving fragments, and other inert solids.

**\*\*Rebar or other protruding reinforcements must be removed prior to placement. All material must be buried to a minimum of 3 feet below final surface grade.**

- 
1. General Description of material to be imported: \_\_\_\_\_  
\_\_\_\_\_
  2. Approximate volume of inert material to be backfilled: \_\_\_\_\_
  3. Estimated dates of commencement: \_\_\_\_\_ and completion: \_\_\_\_\_
  4. Use/purpose of imported material: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  5. A general engineering plan stating how the material will be placed and stabilized in a manner to avoid unacceptable settling and voids. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Enclosed is a map showing the proposed location of the inert material.

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### 3.1.5(9)(c) - Affidavit

I \_\_\_\_\_ of \_\_\_\_\_ hereby  
certify that only clean and inert material will be imported at \_\_\_\_\_.  
All material will adhere to the Division's definition of Inert Material as defined in Rule  
1.1(24)/1.1(20).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_