


**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.

<b>MINE NAME:</b> Boone-Fillmore Pit	<b>MINE/PROSPECTING ID#:</b> M-1990-144	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Pueblo
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Patrick Lennberg	<b>INSP. DATE:</b> July 11, 2019	<b>INSP. TIME:</b> 10:30
<b>OPERATOR:</b> R. Lewis Fillmore	<b>OPERATOR REPRESENTATIVE:</b> Ron Fillmore	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Partial Bond	<b>BOND AMOUNT:</b> \$77,447.00
<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> July 25, 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:** Markers

**PROBLEM:** The affected area boundary markers are missing. 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 will use the approved metes and bounds survey (Attachment 1) to accurately locate and install new permit boundary markers within 30 days of mailing this inspection report. The survey should be completed by a licensed surveyor to achieve the most accurate placement of the markers. Once the survey is complete the Operator will submit a map of the placed boundary markers along with latitude and longitude coordinates of each corner of the permit boundary.

**CORRECTIVE ACTION DUE DATE:** 9/23/19

## **OBSERVATIONS**

The Boone-Fillmore 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 4, 2014 during a surety related inspection. Ron Fillmore, Operator, accompanied me during the inspection. The weather was clear and warm.

The Boone-Fillmore Pit is located in Pueblo County approximately six miles southeast of Boone, Colorado. The pit is an 84-acre 112c Construction Materials Reclamation Permit, for the mining of sand and gravel. 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. The Operator indicated that he occasionally sells material from the various stockpiles onsite throughout the year but not in large quantities. The stockpiles are from the previous operators at the site including Lafarge, Western Mobile Southern, and Southway Construction Company. However, active extraction has not occurred at the site since around 2000. Since the Operator is selling material from the stockpiles throughout the year the permit does not qualify for temporary cessation.

A large stock pile of material was observed east of the haul road and some smaller stockpiles scattered across the site. There are portions of the site that have been self-reclaimed, other areas are partially self-reclaimed and there is evidence of seeding with successful vegetation establishment. Tamarisk were observed throughout the site but the density is similar to areas that surround the site beyond the permit boundaries. With the exception of the stockpiles, the site appears to be graded to slopes flatter than the required 3H:1 V. Some minor erosion rills were observed on the stockpiles, but given the nearly flat gradient of the site, eroded sediments were confined to the base of the stockpiles.

During previous inspection the lack of boundary markers was cited as a problem. The Operator submitted to the Division documentation with the annual report indicating that the boundary markers had been placed along with a diagram showing the approximate location of those markers. After performing a file review the Division, at that time, incorrectly accepted the Operator placed markers. The lack of correctly placed boundary markers is being cited as a problem in this report. The Operator will use the approved metes and bounds survey (Attachment 1) to accurately locate and install new permit boundary markers within 60 days of mailing this inspection report. The survey should be completed by a licensed surveyor to achieve the most accurate placement of the markers. Once the survey is complete the Operator will submit a map of the placed boundary markers along with latitude and longitude coordinates of each corner of the permit boundary.

The Division currently holds a financial warranty in the amount of \$77,447.00 which is adequate at this time but will be reviewed again when the new boundary markers are established.

Photographs taken during the inspection are attached.

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

**Inspection Contact Address**

Ron Fillmore  
63985 Highway 96 E  
Boone, CO 81025

Enclosure: Attachment 1 – Approved Metes and Bounds Survey

CC: Michael Cunningham, DRMS  
EC: Ron Fillmore, Operator, [ronfill@hotmail.com](mailto:ronfill@hotmail.com)

**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>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>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <b><u>PB</u></b>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</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



**PHOTOGRAPHS**



**Photo 1:** Mine sign at entrance off of State Highway 96



**Photo 2:** Large stockpile of material at the east end of the site near the mine entrance, looking northeast





**Photo 3:** Large stockpile near the mine entrance but looking across the pile towards the west



**Photo 4:** Vegetation conditions at the eastern most portion of the permit boundary





**Photo 5:** Stockpile of material located in the central west portion of the site



**Photo 6:** Stockpile of material located adjacent to the pile pictured above





**Photo 7:** Unmined area in the northwest portion of the permit area, looking north



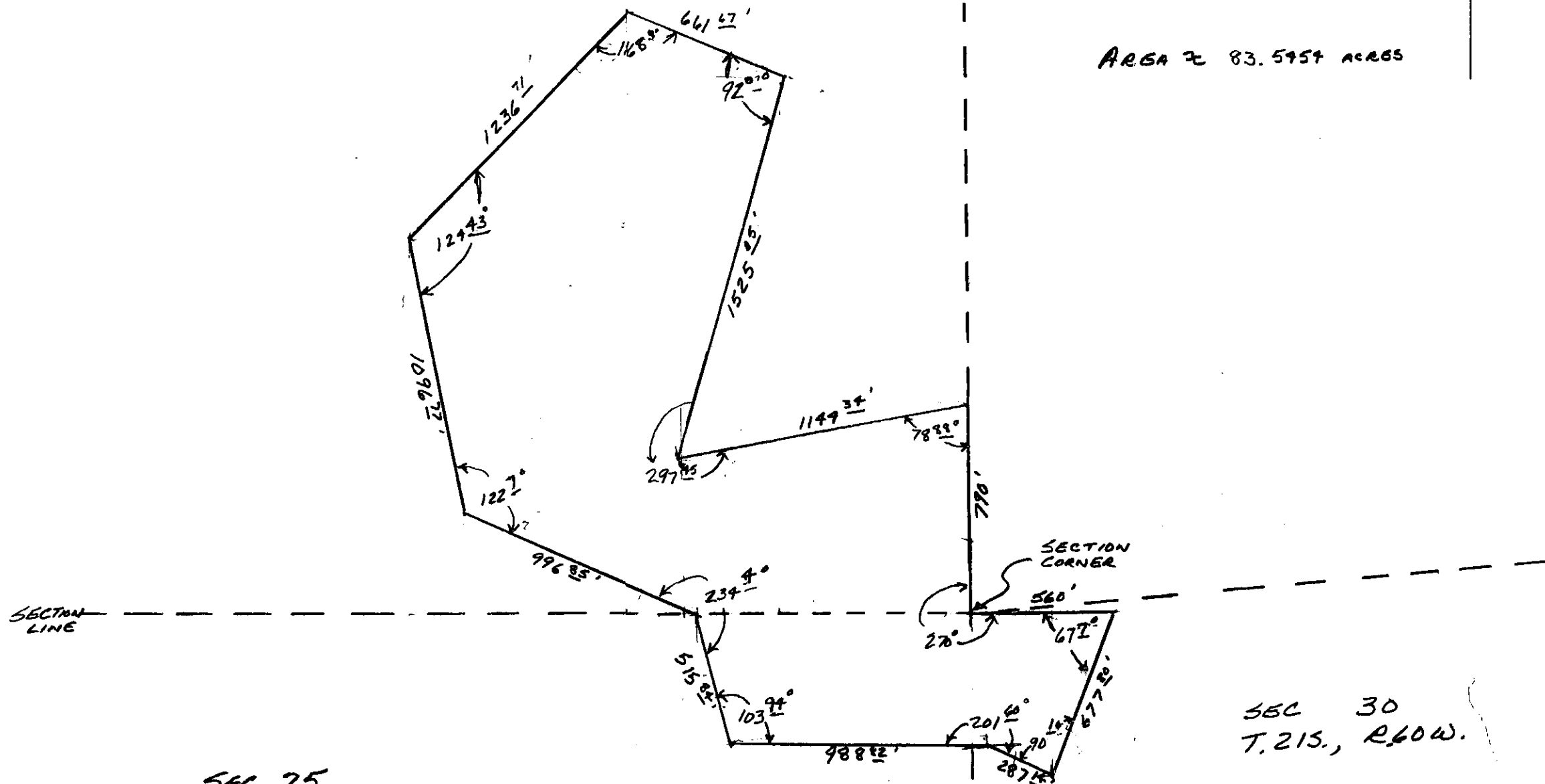
**Photo 8:** Former pit area located north central area of the permit

Permit Number M1990-144  
 Class: ☐ Permit  
 Section/Exhibit:  
 Class: ☒ Revision  
 Type/Seq: M11-001 (Layout & Ownership)  
 Class: ☐ Report ☐ Hydro ☐ General  
 Doc Type:  
☐ Application (Coal only) ☐ Bond ☐ Enforcement ☐ Inspection

SEC 24  
 T. 215., R. 61 W.

Pit Layout

AREA = 83.5954 ACRES



ADJACENT LAND OWNED by  
 R. LEWIS FILLMORE

FILLMORE PIT (112 AMENOS)

PIT Layout & Ownership

Southway Const. Co., Inc.

PREPARED BY:

JOHN T. UNGERLUG



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