




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: Western Slope Flagstone Quarry No. 2	MINE/PROSPECTING ID#: M-1996-076	MINERAL: Gravel	COUNTY: Mesa
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy C. Yeldell Lucas J. West	INSP. DATE: August 8, 2019	INSP. TIME: 08:10
OPERATOR: Rudolph Fontanari	OPERATOR REPRESENTATIVE:	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: High Priority	BOND CALCULATION TYPE: Complete	BOND AMOUNT HELD: \$88,251.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: September 18, 2019	

GENERAL INSPECTION TOPICS

Several of the following inspection topics were identified as having a **Problem (PB)**, which includes correction actions and a deadline whereby the Operator must demonstrate compliance with the conditions of the Permit and the requirements of the Act and Rules. Failure to address the corrective actions by the deadline may cause the Division to escalate the Problem to a **Possible Violation (PV)** and schedule the issue for formal hearing before the Mined Land Reclamation Board (Board).

(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>N</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>PB</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>PB</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</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

INSPECTION TOPIC: Excess Spoil & Dev. Waste

PROBLEM/POSSIBLE VIOLATION: Problem: Trash and refuse was noticed on the site. This is a problem at this time for failure to dispose of refuse in a manner that controls unsightliness or deleterious effects of such refuse pursuant to C.R.S. 34-32.5-116(4)(e).

CORRECTIVE ACTIONS: The operator shall submit a written notice to the Division with photo documentation, that the trash has been removed from the site and the burn pit backfilled by the corrective action date.

CORRECTIVE ACTION DUE DATE: 11/15/19

INSPECTION TOPIC: Gen. Compliance With Mine Plan

PROBLEM/POSSIBLE VIOLATION: Problem: The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The Mine Plan states that fuel will not be stored in the Middle Mine area and that all fuel will be delivered to the site. Currently fuel is being stored in Middle Mine area.

CORRECTIVE ACTIONS: 1) the Operator shall provide the Division documentation that all fuel tanks have been removed from site and utilize fuel delivery. OR 2) The Operator shall revised the mine plan in the form of a Technical Revision with the required \$216 revision fee to allow for fuel storage within the middle mine area and any tanks to remain on site to be stored within secondary containment by the corrective action date.

CORRECTIVE ACTION DUE DATE: 11/15/19

INSPECTION TOPIC: Revegetation

PROBLEM/POSSIBLE VIOLATION: Problem: There are state-listed noxious weeds present on site. This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

CORRECTIVE ACTIONS: Implement approved weed control plan and provide proof to the Division that this has been done. If a weed control plan is not already in place, the operator shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 11/15/19

OBSERVATIONS

This is an in depth follow-up inspection conducted by the Colorado Division of Reclamation, Mining and Safety. The purpose of this inspection was to review the entire permit area to ensure compliance with the Act, Rules, and Permit conditions. As of July 12, 2019, the site was under a Cease and Desist Order. On September 3, 2019, the Division modified the Cease and Desist Order based on the Operators request received on August 29, 2019.

The Western Slope Flagstone Quarry No. 2 is an 112c permitted site that includes a permitted total of 141.92 acres and a maximum disturbance of 22.5 acres. It is located approximately three miles northeast of Palisade, Colorado and can be accessed from I-70 or Rapid Creek Road. Amy Yeldell and Lucas West of the Division conducted the inspection.

Division staff took GPS data for all located water distribution lines, riser heads, and ditch paths within the affected lands. At the time of the inspection, all riser heads were off. Riser #10 still appears to be leaking, saturating the soils around the riser, but not watering surrounding areas. Ditch #11 was wet from what appears to be run-on from up gradient watering. Ditches #12-14 were also very wet. Only a portion of the north water line is within the permit boundary. Overall, 5 risers, approximately 1,100 linear feet of 10" water line, and approximately 1,600 linear feet of ditching was installed within the DRMS permit boundary.

Staff took GPS data of stockpiles (railroad ballast and road base) in the north mine area. The Road base stored on the west side of the haul road is estimated to be 25 feet tall. The railroad ballast stored on the east side of the haul road is estimated to be 30-35 feet tall.

While walking around the stockpiles staff was able to see where water was seeping into the west pit/pond. Unlike previous flows, this water was not a surface flow running down the hillside; it was coming out of the rock layers in the southwest corner of the pit/pond. The pit/pond itself was mostly dry with a small amount of water in the southeast corner.

Division staff also walked the eastern water distribution line and took additional GPS data. The far north end of the line was trickling water near the shut off valve. Upon further inspection, the last riser cap is leaking and water is running down the pipe to the end of the line. All risers along the east line are capped with no valves or ditches to convey water. This line runs the entire length of the mesa, along the stockpile yard on the north side then into the active mine area. The Division found what appeared to be the main valve near the scale. This line was not pressurized at the time of the inspection. The east water line is entirely within the DRMS permit boundary. The system includes 13 capped riser heads and approximately 2,115 linear feet of buried water line.

Within the imported material stockpile, area along the northeastern side of the pit is a burn pit containing household trash and miscellaneous metal remnants. The Operator shall dispose of all refuse in a manner that controls unsightliness or deleterious effects of such refuse. This is cited as an inspection problem pursuant to C.R.S. 34-32.5-116(4)(e). The operator shall submit a written notice to the Division with photo documentation, that the trash has been removed from the site and the burn pit backfilled by 60-days.

The south pit appears in a similar condition as compared to the inspection the previous year. A small scale and scale house remain on site. There is an elevated fuel tank on site as well as several other fuel type tanks stored on site. In previous inspections it was indicated that the elevated tank was empty and not in use. This tank appears to not be in secondary containment. In reviewing the permit, it explicitly states that fuel will not be stored in the Middle Mine area and that all fuel will be delivered to the site. On site fuel, storage will only

occur when the main operation moves to the North Mine area, all fuel will be stored in a secondary containment. Failure to follow the approved mine plan is cited as an inspection problem. All fuel tanks either need to be removed from site and fuel delivery be utilized or the mine plan needs to be revised in the form of a Technical Revision with the required \$216 revision fee to allow for fuel storage within the middle mine area and any tanks to remain on site to be stored within secondary containment.

The southeast excavation is estimated to be 100 linear feet wide by 25 feet tall with near vertical slopes. The main southern pit is a bowl shape with an approximately 400 linear foot wide by 25 foot tall near vertical highwall. The overall excavated foot print is estimated to be two acre. A grizzly bar screen is placed atop another depression that is 15 feet high by 50 foot wide. Overburden is placed on the west end of the south pit and estimated to be 40 feet tall by 300 feet long. The flagstone stockpile areas is approximately 4 acres with dozens of 3 foot by 3 foot by 3-foot piles/pallets. In the stockpile area are additional screened boulders of various sizes that were mine from this site. The mine material stockpile takes up approximately 3 acres.

Several nuisance and noxious weed species such as; Knapweed, Halogeton, Kochia, Russian Thistle, Alyssum and Cheatgrass were observed throughout the site. The weed infestation appears to be getting worse due to additional unreclaimed surface disturbances throughout the mine site. Several monitoring inspections have taken place over the past months in peak growing seasons with no evidence of noxious weed management taken place. Failure to control noxious weeds is cited as an inspection problem. The Operator shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

The site observations from this inspection were used to update the reclamation cost estimate presented at the August 21, 2019MLRB meeting. The Division/MLRB found the required bond amount to be \$260,435.

Responses to this inspection report should be directed to Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 81831 or via email at amy.yeldell@state.co.us

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Enclosure

CC:

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PHOTOGRAPHS



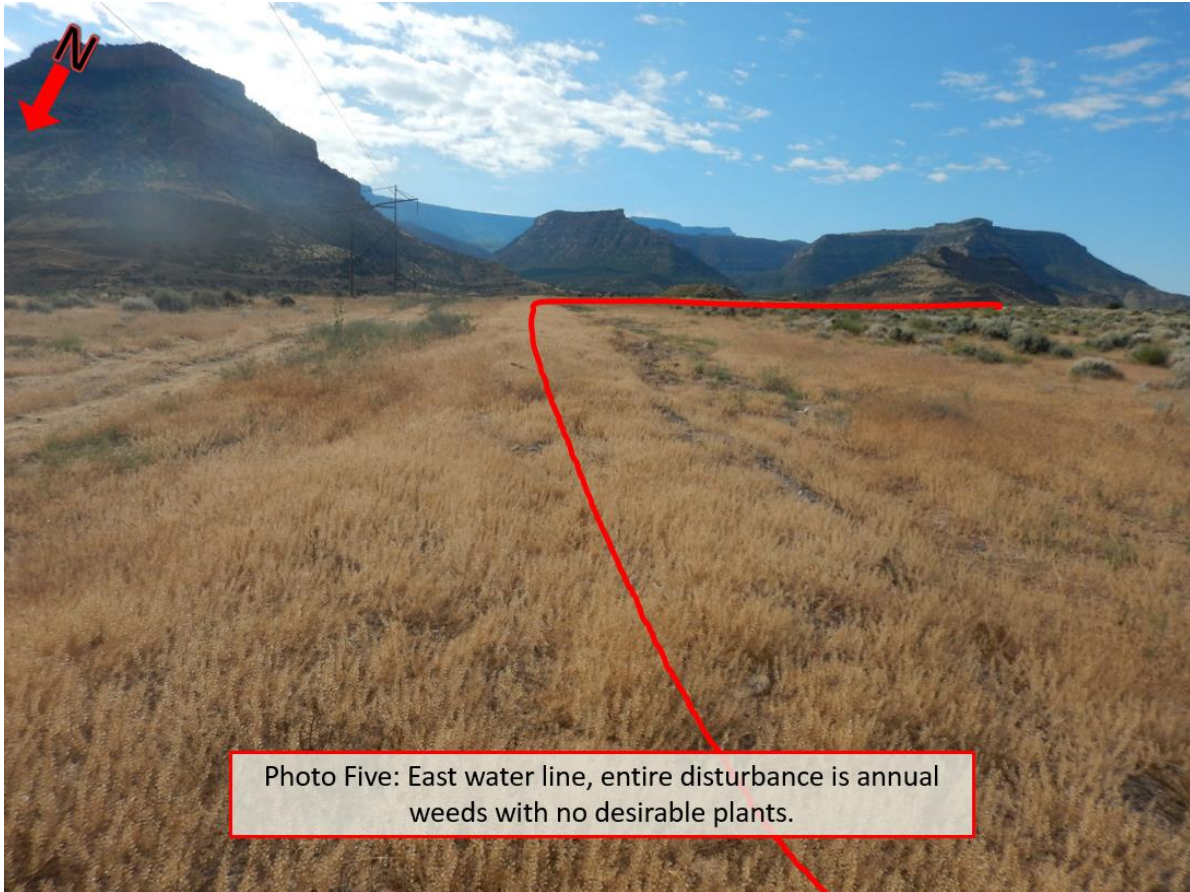
Photo One: Overview of north mine area and stockpiles



Photo Two: West pit of the north mine







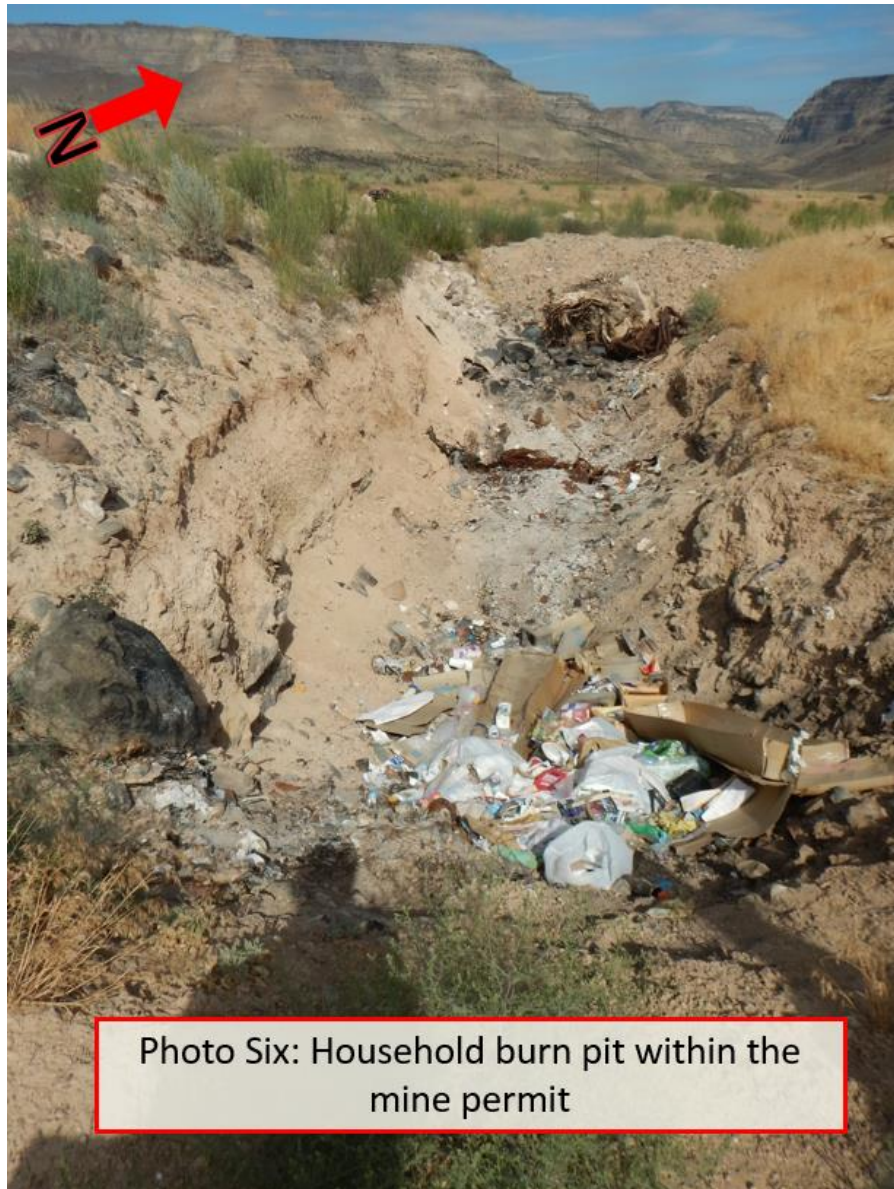




Photo Seven: Elevated fuel tank stored within the middle mine area.



Photo Eight: Overview of middle mine main excavated pit area.



Photo Nine: Grizzly Bars within the middle mine area.