




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: South Asphalt Plant	MINE/PROSPECTING ID#: M-2009-004	MINERAL: Gravel and sand	COUNTY: El Paso
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy Cazier	INSP. DATE: July 31, 2019	INSP. TIME: 09:30
OPERATOR: Rocky Mountain Materials and Asphalt, Inc.	OPERATOR REPRESENTATIVE: Dave Bieber	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$59,055.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 10, 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: Reclamation Success

PROBLEM/POSSIBLE VIOLATION: Problem: Rule 1.13.5 states, if an Operator temporarily ceases production of the mining operation for one hundred eighty (180) days or more, the Operator must file a Notice of Temporary Cessation in writing to the Office.

CORRECTIVE ACTIONS: The Division recommends the Operator file for Temporary Cessation. The start date of the initial 5 year Temporary Cessation period is retroactive to the last date the pit was active. If that date is more than 5 years ago, the operator is required ask the Board for a 5 year extension to the Temporary Cessation period (per rule 1.13.5 (3) and 1.13.8 (b) or begin reclamation.

CORRECTIVE ACTION DUE DATE: 11/11/19

OBSERVATIONS

This inspection was conducted by Tim Cazier (DRMS) as part of the regular monitoring program. The Permittee (Rocky Mountain Materials and Asphalt) was represented by Mr. Dave Bieber during the inspection. The South Asphalt Plant site is accessed from US Hwy 85, north of the intersection of S. Academy Blvd and I-25 on the south side of Colorado Springs. This is a 110c gravel and sand mine. This is an industrial use site. Although no active mining was observed, much of the permit area contained imported stockpiled material being ferried to the adjacent batch plant.

Availability of Records: Annual fees are paid through August 2019. The report states the last mining activity was 2/6/2019, more than 180 days prior to the submittal of the annual report. **This 209-day period of no mining activity is an indication the mine should be in temporary cessation.** The previous inspection was on September 25, 2014. The approved post-mine land use is industrial. Technical Revision TR-01 allowing the importation of inert fill was approved by the DRMS in 2014. There are no open infractions. Both the surface and minerals are privately owned. The annual report map shows a semi-circular area cut out of the permit area (in the vicinity of the south entrance off Hwy 85) as compared to the DRMS records (see attached post inspection map). **If the Permittee wishes to formally remove this area from the permit boundary, they should submit a partial release request.**

Backfilling and Grading: Mr. Bieber indicated the pit had been backfilled this spring.

Excess Spoil and Dev. Waste: No overburden piles were observed.

Financial Warranty: The \$59,055 bond held by the Division is more than adequate for the observed mine disturbance.

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: As there is no pit, no standing water or groundwater was observed.

Gen. Compliance with Mine Plan: The operation appeared to be in compliance with the approved mine plan. No highwalls were observed as the pit has been backfilled.

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review and site observations.

Processing Waste: No processing waste was observed.

Roads: Other than the stockpile areas, the majority of the surface is paved (see **Photos 1** and **2**), as such it is unlikely that sediment could be tracked offsite.

Reclamation Success: As the post-mine land use is industrial, returning the area to the pre-mine use of storing imported stockpiles, and also the current use, the site is essentially reclaimed at the time of the inspection. Mr. Bieber stated their lease requires the mine reclamation permit remain active, but there were no immediate plans to resume mining at the site. **The greater than 180 days of no mining activity and the lack of plans to resume mining is cited as a Problem on page 1 of this report as Temporary Cessation is required pursuant to Rule 1.13.5.**

Sediment Control: No erosion problems were observed and no BMPs were needed at the time of the inspection.

Support Facilities On-site: A Cat 980 loader was actively moving imported stockpiled material to the adjacent batch plant. (see **Photo 1**).

Signs and Markers: The permit sign was properly posted (see **Photo 3**) the north boundary markers missing. Mr. Bieber explained the imported material stockpiles and third party truck traffic at the permit boundary leads to frequently buried and or run over boundary markers. [Prior to resuming mining, some means of marking the permit boundary must be established pursuant to Rule 3.1.12\(2\).](#)

Permit Stipulations: There are no permit stipulations.

Storm Water MGT Plan: No oil or fuel spills observed. A file review indicates sediment ponds were present prior to the permit being issued as the site was being used for stockpile storage. Stormwater is routed around the area on the east side (see **Photo 4**)

Topsoil: As the pre- and post-mine land use is industrial, no topsoil was present prior to mining and none is required for reclamation.

Structures: [Both a railroad on the east side and US Hwy 85 on the west side are within 200 feet of the permit/affected area boundary. Prior to resuming mining, the Permittee is required to have current structure damage agreements.](#)

Please contact Tim Cazier (303)866-3567 ext. 8169 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. North end of Permit boundary (approximately an extension of the yellow line in the foreground, looking NE), note loader and stockpiled material.

PHOTOGRAPHS (cont.)



Photo 2. Pavement on west side of permit boundary (looking SE) stockpiled material on permit boundary.



Photo 3. Permit sign (south entrance).

PHOTOGRAPHS (cont.)



Photo 4. Stormwater diversion on east side (looking SE).

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>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>Y</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>NA</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>PB</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</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>Y</u>	

Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / **PB = Problem cited** / PV = Possible violation cited

Inspection Contact Address

Dave Bieber
Rocky Mountain Materials and Asphalt, Inc.
C/o Martin Marietta Materials, Inc.
1627 Cole Boulevard, Suite 200
Lakewood, CO 80401




Enclosure

ec: DRMS file

M-2009-004 2019 Post Inspection Map

Satellite Imagery from 10/19/2018

Legend

-  Annual Report Permit Exclusion
-  M-09-04 Permit Boundary
-  Rail Road

