




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: Gillette Pit	MINE/PROSPECTING ID#: M-1992-009	MINERAL: Gravel	COUNTY: Teller
INSPECTION TYPE: Monitoring	INSPECTOR(S): Elliott Russell	INSP. DATE: October 16, 2019	INSP. TIME: 15:00
OPERATOR: Gillette Sand and Gravel, Inc.	OPERATOR REPRESENTATIVE: Chris Pyles	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Priority	BOND CALCULATION TYPE: CDPHE, DWR, CPW	BOND AMOUNT: \$37,613.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 31, 2019	

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected. 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>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>N</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>Y</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>N</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>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

OBSERVATIONS

This inspection was conducted by Elliott Russell of the Division of Reclamation, Mining and Safety (Division) as a follow-up to an inspection of the Gillette Pit conducted on October 4, 2019. Gillette Sand and Gravel, Inc. (Operator) was represented by Chris Pyles during the follow-up inspection.

During the October 4, 2019, the Division investigated citizen complaint CT-01, received on October 3, 2019, of a possible discharge from the Gillette Pit into the West Fork of West Beaver Creek (Beaver Creek). Although the wash plant was not in operation during the inspection, the Division discovered evidence that the wash water process ponds in the northwest portion of the site had overtopped and discharged directly into Beaver Creek. The Operator stated this occurred the previous day on October 3, 2019. The Division also observed that approximately 0.3 acres have been disturbed outside of the approved western permit boundary from the Operator cleaning out sediment fines from the process ponds. On the evening of October 4, 2019, following the inspection, Mr. Pyles verbally, voluntarily committed to ceasing any wash plant activities at the site. On October 9, 2019, the Division sent a formal Cease and Desist Order, prohibiting all mining operation activities at the site, and a Reason to Believe a Violation Exists and Notice of Board Hearing, scheduling the matter before the MLRB during the November 13-14, 2019 Board meeting.

This follow-up inspection focused on the conditions of the site as well as the status of the corrective actions. This Division also wanted to discuss with the Operator their plans to request to partially lift the Cease and Desist Order to allow reclamation of certain areas and limited hauling of stockpiled product.

The Gillette Pit is a Construction Materials 112c Operation and is permitted at 32 acres of land for the extraction of gravel. The site is located in Teller County, approximately 3.5 miles east of Cripple Creek, Colorado. Affected lands will be reclaimed to support a post-mining land use of rangeland and wildlife habitat. The Gillette Pit consists of five distinct areas: 1) an active excavation in the northeast corner of the site (referred to as the Northern Pit in this inspection report); 2) an active excavation in the southeast corner of the site (referred to as the Southern Pit in this inspection report); 3) the processing plant in the northwest corner of the site; 4) an older excavation and scale house near the entrance in the southwest corner of the site; and 5) a central Wetlands Area, designated as jurisdictional wetlands by the Corps of Engineers in 2002. The Northern Pit and the processing plant are located between the West Fork of West Beaver Creek (Beaver Creek) and the small tributary to Beaver Creek which flows through the Wetlands Area. The Southern Pit and entrance area are located south of the Wetlands Area.

The Division met Chris Pyles at the mine site entrance located 900 feet east of County Road 81, approximately ¼ mile south of State Highway 67. Near the turn off to the site, Beaver Creek flows through a culvert under CR 81. The Division observed that the milky discoloration previously observed in Beaver Creek on October 4, 2019 was no longer present. The Division inspected Beaver Creek from CR 81 up to the site and observed clear water and numerous brook trout.

Mr. Pyles showed the Division the work that was done to the process pond embankment prior to receiving the Cease and Desist Order. The embankment has been reinforced and is now higher than the water level. The lowest point in the embankment where water had left the ponds during the October 3, 2019 event has been backfilled and raised. The Operator stated that he wants to eventually make the embankment wider so that an excavator can drive down it to clean out the sediment fines. The embankment will likely need to be wrapped around the northern side of the northern process pond, however, the Operator stated he will likely backfill and abandon the northern portion of the northern pond to create a larger buffer from Beaver Creek. The revisions to the process ponds, including but not limited to location, size, capacity, and sediment handling, will need to be proposed and discussed in further detail in the forthcoming revision to the permit.

The Division also observed several stormwater control measures which have been installed since the October 4, 2019 inspection. The Operator had created a berm along the western edge of a large crusher fines stockpile located north of the scale house. The Operator was also installing a two-stage detention basin in the southern pit before the culvert which leads the Wetlands Area. The Operator stated they would purchase straw or hay bales and utilize them as sediment check dams.

The Operator also showed the Division two areas which he would like to reclaim while working on permitting to bring the site back into compliance. The first area is the northern highwall of the Northern Pit and the second area is the eastern highwall of the Southern Pit. The Division stated this could be proposed under a request to partially lift the Cease and Desist Order. After the inspection, the Division received a formal request from the Operator to lift portions of the Cease and Desist Order to continue working on corrective actions, reclaim the areas discussed during the inspection, and to allow the haulage of already stockpile product, but to keep excavation and processing of material shut-down until further notice and the site is back in compliance. The Division approved this request on October 18, 2019.

This concludes the Division's Inspection Report; a subset of photographs taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

PHOTOGRAPHS



Photo 1. Downstream side of CR 81 culvert; looking east.



Photo 2. Upstream side of CR 81 culvert; looking north.



Photo 3. Brook trout and clear water in Beaver Creek downstream of site; looking northwest.



Photo 4. Raised embankment in northwest corner of northern process pond; looking southeast.



Photo 5. Raised embankment along western side of the northern process pond; looking north.



Photo 6. Aerial overview of process ponds; looking southwest.



Photo 7. Aerial overview of process ponds; looking north.



Photo 8. Graded off-site disturbance area to the west of the permit boundary; looking southwest.



Photo 9. Storm water detention basins being constructed in the Southern Pit; looking south.



Photo 10. Aerial overview of Southern Pit; looking southeast.



Photo 11. Northern highwall in the Northern Pit which operator is requesting to reclaim; looking northwest.



Photo 12. Eastern highwall in the Southern Pit which operator is requesting to reclaim; looking east.

Inspection Contact Address

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