




**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> Ula Pit	<b>MINE/PROSPECTING ID#:</b> M-1991-083	<b>MINERAL:</b> Gravel	<b>COUNTY:</b> Custer
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Timothy Cazier	<b>INSP. DATE:</b> June 19, 2019	<b>INSP. TIME:</b> 11:00
<b>OPERATOR:</b> Seifert Construction dba Seifert Enterprises, LLC	<b>OPERATOR REPRESENTATIVE:</b> Kent Beach	<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> \$30,950.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Cloudy	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> December 17, 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:** Gen. Compliance With Mine Plan

**PROBLEM/POSSIBLE VIOLATION:** Problem: The current approved mine plan requires mining at 3H:1V to reduce the financial warranty. The mine plan needs to be updated to allow mining at near vertical pursuant to C.R.S. 34-32.5-112 (1)(c)(VI), or the highwalls need to be flattened to no steeper than 3H:1V.

**CORRECTIVE ACTIONS:** The operator shall either: A) submit a Technical Revision, with the required \$216 revision fee, to update the current approved mine plan to reflect the current near vertical highwall mine practice or B) flatten the existing highwalls to no steeper than 3H:1V by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 2/18/20

## **OBSERVATIONS**

This inspection was conducted by Tim Cazier (DRMS) as part of the regular monitoring program. The Permittee (Seifert Construction dba Seifert Enterprises, LLC) was represented by Mr. Kent Beach during the inspection. The Ula Pit is accessed from Hermit Road (Co Rd 160) and is located approximately five miles west of Westcliffe. This is a 112c gravel mine. It was not operating at the time of the inspection, however there were signs of recent activity.

Availability of Records: Annual fees are paid through October 2019. The previous inspection was on December 2, 2014. The approved post-mine land use is rangeland. There are no open infractions.

Backfilling and Grading: As the mine is planned to progress to the west and was a considerable distance from the west boundary at the time of the inspection, sufficient backfill material appeared to be available to push down from the highwall crest.

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

Financial Warranty: The \$30,950 bond held by the DRMS was last updated in 2015 and included nine acres of reseeded. Additional bond may be required depending on whether the Operator flattens the highwall to 3H:1V or submits a technical revision to mine at near vertical highwalls (see **problem cited on page 1 of this report**).

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed. Some water was observed in the sediment pond from the recent rain (see **Photo 1**).

Gen. Compliance with Mine Plan: The first adequacy response in the July 23, 2004 letter from LJ Development states the highwalls will be mined at 3H:1V in order to reduce the earthmoving required for reclamation. This was pointed out in the December 2, 2014 inspection report. The highwall at the time of inspection was observed to be near vertical (see **Photo 2**). **Not mining at a 3H:1V slope is cited as a problem on page 1 of this report.** The maximum allowed disturbed area is 15 acres. Google Earth was used to measure the disturbed area, which was estimated to be approximately 10.3 acres, based on 2016 imagery. Highwalls were estimated to vary between 8 and 12 feet in height with a length of approximately 400 feet (see **Photo 3**). The DRMS estimates 450 cubic yards of material would need to be pushed down from the highwall crest to achieve a cut/fill balance to reslope this 400 feet of highwall to 3H:1V (see attached **Task #100.1 Highwall Backfill Volume Estimate**).

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: Mr. Beach stated the haul and access roads were watered for dust control when necessary.

Reclamation Success: The south facing slope on the north highwall had been graded to approximately 3H:1V. The access road from Hermit Road/CR 160 is approved to remain after reclamation pursuant to a July 19, 2004 letter from Jerald A. Seifert to the Division.

Revegetation: The adjacent undisturbed area, both within and outside the permit area has a considerable amount of downy brome (see **Photo 4**) also known as cheat grass, a List C noxious weed species. Mr. Beach stated that was the grass grown for hay and showed this inspector hayfields full of cheat grass. This being the case, the presence of cheat grass onsite is not cited as a problem. No revegetation effort had been initiated at the time of the inspection.

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

Support Facilities On-site: A loader was observed on site (see **Photo 5**) and the product stockpile showed signs of recent material removal.

Signs and Markers: The permit sign was properly posted (see **Photo 6**) and boundary fences were observed to delineate the permit boundary (see **Photos 7 and 8**).

Permit Stipulations: The DRMS records indicate a Spill Prevention Control and Countermeasure (SPCC) plan is required prior to storing solvents, etc. on site.

Storm Water MGT Plan: No oil or fuel spills observed. Stormwater is directed to the site sediment pond (see **Photo 1**) where it infiltrates.

Topsoil: Topsoil was observed to be stockpiled above the highwall crest on the south side (see **Photo 9**) and on the west side.

Structures: The only observed structures within 200 feet of the affected area were the boundary fences.

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



## **PHOTOGRAPHS**



Photo 1. Sediment pond (east side of pit, looking north).



Photo 2. Near vertical highwall (north end, west side, looking west).



**PHOTOGRAPHS (cont.)**



Photo 3. Near vertical highwall (south end, west side, looking SW).



Photo 4. Cheat grass in undisturbed area (looking SE from north side of pit).



**PHOTOGRAPHS (cont.)**



Photo 5. Product stockpile and loader (pit floor, looking south).



Photo 6. Permit sign at entrance from Hermit Road.



**PHOTOGRAPHS (cont.)**



Photo 7. Boundary fence (east side, looking north, posts circled).



Photo 8. Boundary fence (north side, looking west).



### PHOTOGRAPHS (cont.)



Photo 9. Topsoil stockpile (south side, looking SW).

### 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>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>Y</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>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**

Kent Beach  
Seifert Construction dba Seifert Enterprises, LLC  
198 Range View Loop  
Westcliffe, CO 81252

Enclosure

ec: DRMS file  
Shawn Wise, Seifert



## Task #100.1 Highwall Backfill Volume Estimate

PROJECT: Midway Pit  
 PERMIT No.: M-1988-018  
 HIGHWALL LOCATION: North Side Highwalls

### LEGEND

Input
Result

