




**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> Western Slope Flagstone Quarry No. 2	<b>MINE/PROSPECTING ID#:</b> M-1996-076	<b>MINERAL:</b> Gravel	<b>COUNTY:</b> Mesa
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Lucas West	<b>INSP. DATE:</b> January 15, 2020	<b>INSP. TIME:</b> 14:10
<b>OPERATOR:</b> Rudolph Fontanari	<b>OPERATOR REPRESENTATIVE:</b> Rudy Fontanari	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b>	<b>BOND AMOUNT:</b> \$88,251.00	
<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> January 22, 2020	

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. 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>N</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>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>N</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

## **OBSERVATIONS**

This inspection was conducted by the Division of Reclamation, Mining and Safety's Active Mines Program in response to the Operators request for a Technical Revision (TR-03) to permit M-1996-076 as well as follow up on the various corrective cations required to be completed over the last several months. The Western Slope Flagstone Quarry No. 2 is an active 112c operation that includes 141.92 permitted acres with a maximum allowed disturbance of 22.5 acres. The site is located approximately three miles northeast of Palisade, CO and can be accessed from I-70 or Rapid Creed Road. As of July 12, 2019 the site is under a Cease and Desist Order which was modified, but still in place on September 3, 2019. The Division currently holds \$88,251.00 in financial warranty for the site. To date, the \$172,184.00 financial warranty increase required by MV-2019-023 has not been received. The financial warranty was required to be submitted no later than October 20, 2019. Four Photos accompany this report to illustrate the current site conditions.

The items included in TR-03 that were inspected were the updated permit boundary markers, including the marking of the offset boundary and the above ground fuel storage tank located in the middle mine area. Also, the status of the corrective action regarding the excessive trash and debris located in what appeared to be a burn pit was inspected.

**Permit Boundary Markers:** The Operator has used the Division's recommendation and installed white PVC covers over the Permit Boundary Markers to make them more visible. All points that were included in TR-03 were verified. Examples of the markers with the PVC pipe can be seen in Photos One and Two. The offset that proposed in TR-03 is to mark the cliff edge running from north to south along the eastern edge of the middle mine area. The markers along the edge were observed. Mining will not take place in the space between the cliff edge and the eastern permit boundary. The recommended additional markers between points that were too far apart were also observed. Upon approval of TR-03 these markers will be incorporated to the Permit and the Inspection Problem will be considered resolved.

**Above Ground Fuel Storage Tank:** The fuel tank located in the middle mine area is proposed to be incorporated into the mine plan as part of TR-03. The previous inspection identified that the original tank was too large for the secondary containment structure associated with it. Since that time the Operator has installed a new smaller 1,000 gallon fuel tank that was verified to be empty. The secondary containment structure has a capacity of approximately 2,132 gallons which is sufficient for the smaller 1,000 gallon fuel tank. Upon approval of TR-03 the above ground fuel storage tank will be incorporated into the Mine Plan and the Inspection Problem will be considered resolved.

**Burn Pit:** The area referred to as the Burn Pt was observed in the northeastern area of the pit. Some final grading and material removal was required as a result of the previous inspection. The area can be seen in Photos Three and Four. All material that was required to be removed had been removed from the site and the final grading was stable at the time of the inspection and in good condition. At this time the Inspection Problem for excessive trash and debris is considered resolved.

Also during the inspection the status of the noxious weed management plan was discussed with the Operator. Division staff reiterated that a follow up survey of the entire permit area needs to be conducted during the growing season, and the Operator must request and adhere to the management plan recommended by the Mesa County Noxious Weed and Pest Department. As part of the adequacy review of TR-03 the Operator

must submit the commitments to conducting the survey and following the recommendations of Mesa County before a decision can be rendered on the TR. Please refer to the Adequacy Review of TR-3 dated January 10, 2020.

All responses to this report should be directed to Lucas West at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215 Denver, CO 80203. Also by phone at 303-866-3567 Ext. 8187 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).

**Inspection Contact Address**

Rudy Fontonari  
Rudolph Fontanari  
3316 E 3/4 Road  
Clifton, CO 81520

**PHOTOGRAPHS**

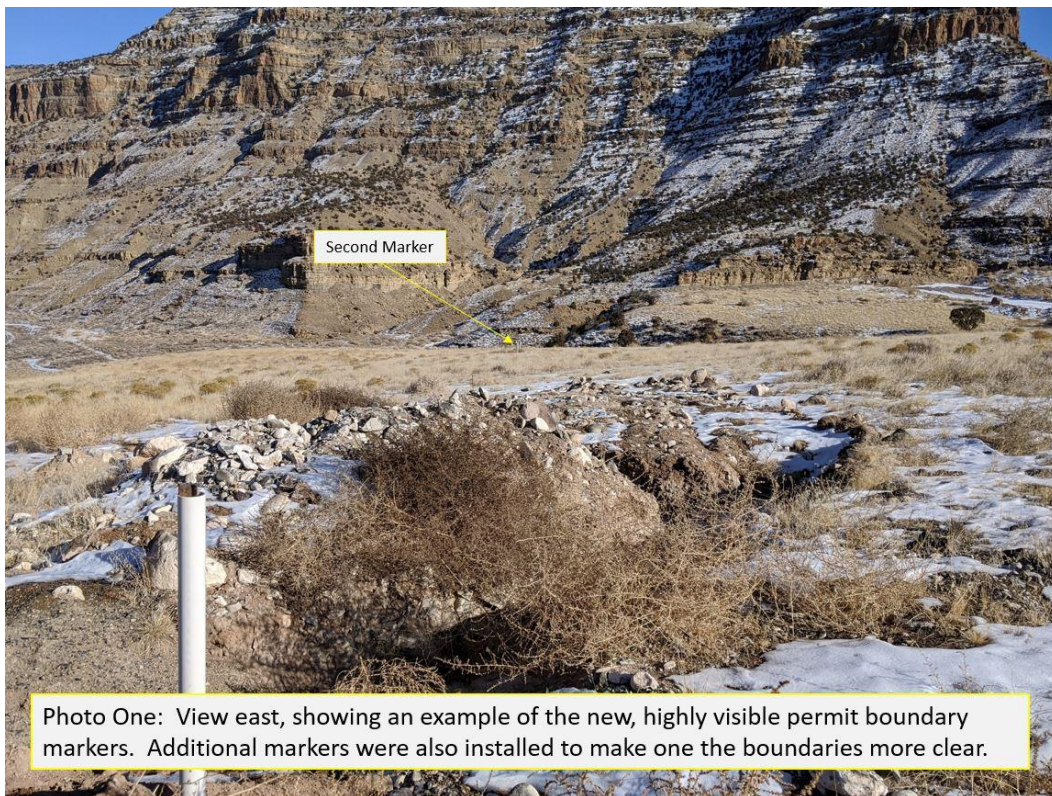


Photo One: View east, showing an example of the new, highly visible permit boundary markers. Additional markers were also installed to make one the boundaries more clear.









Photo Four: View west, showing the graded area of the burn pit. The grading was stable at the time of the inspection and in good condition.