




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 40 Quarry	MINE/PROSPECTING ID#: M-1990-016	MINERAL: Stone	COUNTY: Fremont
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy Cazier	INSP. DATE: October 15, 2019	INSP. TIME: 09:20
OPERATOR: High Plains Stone Company	OPERATOR REPRESENTATIVE: Debbie Wagner	TYPE OF OPERATION: 110c - Construction Limited Impact	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$2,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: Colo. Land Board	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: February 28, 2020

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: Availability Of Records

PROBLEM/POSSIBLE VIOLATION: Problem: The active mining area is limited to an area granted a Declaratory Order to mine without a permit using hand tools, human power and a forklift. This area has been using a mobile crane and has advanced an access road approximately 1,450 feet.

CORRECTIVE ACTIONS: Complete one of the following by the **CORRECTIVE ACTION DUE DATE:** A) File a mine reclamation permit application for the active area; B) File an amendment or conversion to add the active area to the existing M-1990-016 permit; or C) Petition the Mined Land Reclamation Board to modify the Declaratory Order to allow the mobile crane and access road construction.

CORRECTIVE ACTION DUE DATE: 4/28/20

OBSERVATIONS

This inspection was conducted as part of the regular monitoring program. The Operator (High Plains Stone Company) was represented during the inspection by Ms. Debbie Wagner and her operator, Ignacio. The Colorado State Land Board was notified of the inspection, but was unable to attend. The South 40 Quarry is accessed from State Highway 115 (approximately 11 miles north of Penrose) and is located approximately 2.5 miles off Hwy 115. This is a 110c surface moss rock mine. It was not operating at the time of the inspection.

Availability of Records: Annual fees are paid through July 2019. The approved post-mine land use is rangeland. There are no open infractions. Both the surface and minerals in Section 14 are managed by the State Land Board (SLB). The BLM managed Section 15 was released in 1996 with the approval of SR-01.

There has been a misunderstanding as to which area this permit encompasses. The area has had two different rock-picking operations presented to the Division: 1) one involves areas off the lower or northern access road in Section 14, permitted as South 40 Quarry, file no. M-1990-016; and 2) involves the area to the south of the permitted area, accessed from the upper or south access road in Section 14 which was granted a Declaratory Order by the Mined Land Reclamation Board in 1994 stating it was not mining and did not require a mine reclamation permit. It is this southern area which is active. The 1994 Declaratory Order indicated all work would be accomplished under human power using hand tools with the exception of a forklift for palletized rock.

A Problem is cited on page 1 of this report due to the advancing access road and the presence of the mobile crane. The Gen. Compliance with Mine Plan section below provides more discussion on mine operations. The previous inspection was on September 30, 2015 and it was this upper/south area that was inspected at the time.

Backfilling and Grading: As this is a surface rock picking operation, no backfill material is required.

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

Financial Warranty: The \$2,000 bond held by the Division is adequate for the observed permit area disturbance.

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: No standing water was observed in the mined area.

Gen. Compliance with Mine Plan: The upper, or south area (see **Photos 1 and 2**) that appears to be covered by the aforementioned 1994 Declaratory Order. As no reclamation permit required was required by the MLRB, there is no mine plan to follow. The Declaratory Order was granted with the understanding all work would be performed under human power with hand tools with the exception of the use of a forklift to lift palletized rock onto haul trucks. Based on a review of Google Earth history, an access road (see **Photo 3**) has advanced approximately 1,450 feet since 1999 (see attached **Post Inspection Map**).

According to Ignacio, the lower, or north area which is regulated by the issued M-1990-016 mine reclamation permit has not been mined in many years. Under his direction, the lower area was visited, specifically Parcels #1 and #2 (see **Photos 4 and 5**). A mobile crane is allowed under the issued permit. No equipment was observed in the permitted area, but concrete (see **Photos 6 and 7**) and a wood pallet (see **Photo 8**) were observed. This debris will need to be removed prior to the release of reclamation liability.

Due to the nature of the rock picking operation, it is difficult to determine the affected area where rocks have been removed. However, based on Google Earth review, areas disturbed for access roads and/or parking are estimated to be 0.31 acres in the permitted area and one acres (1,452 feet of road times an average width of 30 feet) in the Declaratory Order area.

Processing Waste: No processing waste was observed.

Roads: Haul and access roads are not a source of sediment that could be tracked offsite.

Reclamation Success: Parcels #1 and #2 appear to have been self-reclaimed. However, the concrete and wood pallet seen in **Photos 6, 7 and 8** will need to be removed.

Revegetation: Some knapweed was observed. Most of this was on the lower access road to the BLM Section 15 to the west, not considered part of the permit area. However, a few knapweed plants were observed in the Parcel #1 access road (see **Photo 9**). As it appears the BLM access road is the source and not the Parcel #1 access road, this was not cited as a problem. However, the Permittee should implement a weed control program to reduce the knapweed in the permit area.

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

Support Facilities On-site: No equipment or facilities were observed in the permitted area. A loader and mobile crane were also observed (see **Photos 2 and 3**) in the Declaratory Order area.

Signs and Markers: The permit sign was properly posted (see **Photo 10**). Boundary markers could not be found for the permitted area where mining operations have not occurred for many years.

Permit Stipulations: There are no permit stipulations.

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. Active area in Declaratory Order area.

PHOTOGRAPHS (cont.)



Photo 2. West end of access road in active area in Declaratory Order area.



Photo 3. Access road in Declaratory Order area (looking east, note mobile crane, circled).

PHOTOGRAPHS (cont.)



Photo 4. Parcel #1 from parking area to the east (looking west).



Photo 5. Parcel #2 from BLM access road (looking NNE).

PHOTOGRAPHS (cont.)



Photo 6. Concrete debris on south side of Parcel #1 access road.



Photo 7. Concrete slabs on north side of Parcel #1 access road.

PHOTOGRAPHS (cont.)



Photo 8. Wood pallet on south side of Parcel #1 access road.



Photo 9. Example of knapweed on Parcel #1 access road.

PHOTOGRAPHS (cont.)



Photo 10. Permit sign at State Land Board boundary.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- PB	(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>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</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

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Enclosure

ec: DRMS file
Ben Teschner, SLB

M-1990-016 South 40 Quarry Post Inspection Map

Satellite Imagery from 6/9/2017

Legend

- 1,452 ft of New road since 1999
- M-90-16 Disturbed Area: 0.31 Ac.
- M-90-16 Parcel #1
- M-90-16 Parcel #1 Locator
- M-90-16 Parcel #2
- M-90-16 Parcel #2 Locator
- M-99-04 Affected Area Boundary
- M-99-04 Permit Boundary

South 40 Quarry

Declaratory Order Area

Google Earth

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N

700 ft