



COLORADO


Division of Reclamation,
Mining and Safety

Department of Natural Resources

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: Penrose Pit	MINE/PROSPECTING ID#: M-1987-131	MINERAL: Sand and gravel	COUNTY: Fremont
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy Cazier	INSP. DATE: February 13, 2020	INSP. TIME: 11:50
OPERATOR: Fremont Paving & Redi-Mix, Inc.	OPERATOR REPRESENTATIVE: John Paul Ary & Jodi Schreiber	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$320,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 11, 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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 6/30/20

OBSERVATIONS

This inspection was conducted as part of the Division's regular monitoring program. The Permittee (Fremont Paving and Read-Mix) was represented during the inspection by Mr. John Paul Ary and Ms. Jodi Schreiber. The Penrose Pit is accessed from Hwy 115 approximately 1.25 miles south of US 50). This is a 112c sand and gravel mine. It was operating at the time of the inspection. It was 23°F at the time of the inspection with a few inches of fresh snow on the ground.

Availability of Records: Annual fees are paid through June 2019. The previous inspection was on March 8, 2016. The approved post-mine land use is rangeland. There were no open infractions prior to the inspection. The surface is privately owned.

Acid And Toxic Materials: No acid or toxic materials were observed.

Backfilling and Grading: Sufficient overburden (see **Photo 1**) appeared to be available for backfill material.

Financial Warranty: The \$320,000 bond held by the DRMS was last updated in 1997 and included 150 acres of reseeded. This amount is adequate for the approximately 122 acres of mine disturbance. We discussed the potential for requesting a release of the phase 1 area (~30 acres) after the snow melted and it could be inspected.

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.

Gen. Compliance with Mine Plan: The maximum allowed disturbed area is 150 acres. Google Earth was used to measure the historically disturbed area, which was estimated to be approximately 122 acres, based on 2018 imagery. Highwalls appeared stable (see **Photos 2 and 3**).

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

Roads: Haul and access roads did not appear to be a source of sediment that could be tracked offsite. Road side ditches were clean.

Right of Entry: Fremont Paving has a 10-year lease with an option for a 10-year extension.

Reclamation Success: Site representatives indicated the previous Permittee had seeded phases 1 and 2 twice. Fremont Paving agreed to request a release on Phase 1 after the snow had melted and it could be inspected.

Revegetation: No noxious weeds were observed. A weed control plan was submitted and approved with TR-3.

Support Facilities On-site: A screen plant, crusher, and loader were observed on site (see **Photos 2 and 4**). Mr. Ary stated the screens and crusher were portable.

Signs and Markers: The permit sign was properly posted (see **Photo 5**), however affected area boundary markers were very limited (see **Photo 6**) and insufficient to delineate the approved areas for disturbance. **The insufficient boundary markers are cited as a problem on page 1 of this report.**

Permit Stipulations: There are no permit stipulations.

Topsoil: A topsoil stockpile was observed on the east side of the working area (see **Photo 7**).

Structures: No structures were observed within 200 feet of the affected area.

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. One observed overburden stockpile.

PHOTOGRAPHS (cont.)



Photo 2. North end of active highwall and operating screen plant (looking NE).



Photo 3. South end of active highwall (looking SE).

PHOTOGRAPHS (cont.)



Photo 4. Operating loader (above topsoil storage).



Photo 5. Permit sign near entrance from Hwy 115.

PHOTOGRAPHS (cont.)



Photo 6. One of two observed affected area boundary markers (between Phase 4 and 5).



Photo 7. Topsoil stockpile on east side of working area.

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>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</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>N</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</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

John Paul Ary
Fremont Paving & Redi-Mix, Inc.
839 MacKenzie Ave
Canon City, CO 81212

ec: DRMS file
Jodi Schreiber, Fremont Paving