



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: Dowe Flats Mine	MINE/PROSPECTING ID#: M-1993-041	MINERAL: Limestone (general) and shale	COUNTY: Boulder
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Eschberger	INSP. DATE: June 3, 2020	INSP. TIME: 14:15
OPERATOR: CEMEX, Inc.	OPERATOR REPRESENTATIVE: Cita Cisse, Robin Bay	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$3,389,460.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: June 5, 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>Y</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</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>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>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 was a follow-up inspection of the Dowe Flats Mine (Permit No. M-1993-041) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). The operator was represented during the inspection by Cita Cisse and Robin Bay. The site is located approximately two miles east of Lyons, CO in Boulder County. Access to the site is off of Hwy 66/Ute Hwy. **Photos 1-6** taken during the inspection are included with this report.

The primary focus of this inspection was to follow up on the problems cited in the Division's last inspection report sent on December 10, 2019. Because the operator submitted a Technical Revision (TR-04) with the appropriate fee on February 10, 2020 to address these issues, the Division considers the problems to be abated at this time. However, TR-04 is still under review and the required financial warranty for the site is being evaluated as part of this revision. The Division issued a 4th adequacy review letter for TR-04 on May 6, 2020, and is awaiting the operator's response. The remaining adequacy items pertain to the Division's bond estimate and the proposed revegetation plan for the site.

During the inspection, the Division discussed TR-04 and the associated bond estimate with the operator. Given the complexity of the estimate and the significant amount of financial warranty increase involved, the operator requested more time to review the estimate and provide additional comments. On June 4, 2020, the Division approved the operator's request to extend the TR-04 decision date by 60 days, to August 8, 2020. Once TR-04 has been approved, the Division will issue the operator a notice of surety increase for the amount determined in the revision. The operator will then have 60 days to post the additional required financial warranty for the site. Until such time, the currently held financial warranty (\$3,389,460.00) is considered inadequate for reclaiming the site in accordance with the approved reclamation plan.

After conducting the last inspection, the Division was unable to find updated mining and reclamation plan maps in the permit file which depict the entire approved permit boundary and affected land boundary, particularly the portion located south of Hwy 66/Ute Hwy. Since then, the operator has provided updated maps (in TR-04) showing the entire approved permit boundary (see enclosed maps). During the inspection, the Division observed the portion of the permit area located south of Hwy 66/Ute Hwy in correlation with the permit boundary shown on the updated maps. Portions of the southern permit boundary are delineated by features such as roads, making them easier to trace in the field. For example, the eastern boundary follows the eastern edge of the maintenance road that runs along the eastern edge of the above-ground conveyor system. Other portions of the southern boundary, particularly the portion closer to Hwy 66/Ute Hwy, were more difficult to trace due to their lack of delineation in the field. The Division understands a portion of the southern permit boundary overlaps the permit area for the operator's other permitted operation, the Lyons Quarry (Permit No. M-1977-208). However, Rule 3.1.12(2) requires the approved permit boundary to be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries. Therefore, the operator will need to place posts or other markers at least at the corners of the approved permit boundary so it can be easily traced in the field. The Division will follow up on this matter during its next inspection.

This concludes the report.

Any questions or comments regarding this inspection report should be forwarded to Amy Eschberger at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 303-866-3567, ext. 8129, or via email at amy.eschberger@state.co.us.

PHOTOGRAPHS



Photo 1. View looking south along eastern permit boundary (south of Hwy 66/Ute Hwy; approximate location indicated with yellow dashed line), which follows eastern edge of maintenance road that runs north-south along conveyor system.



Photo 2. View looking north along eastern permit boundary (south of Hwy 66/Ute Hwy; approximate location indicated with yellow dashed line), which follows eastern edge of maintenance road that runs north-south along above-ground conveyor system.

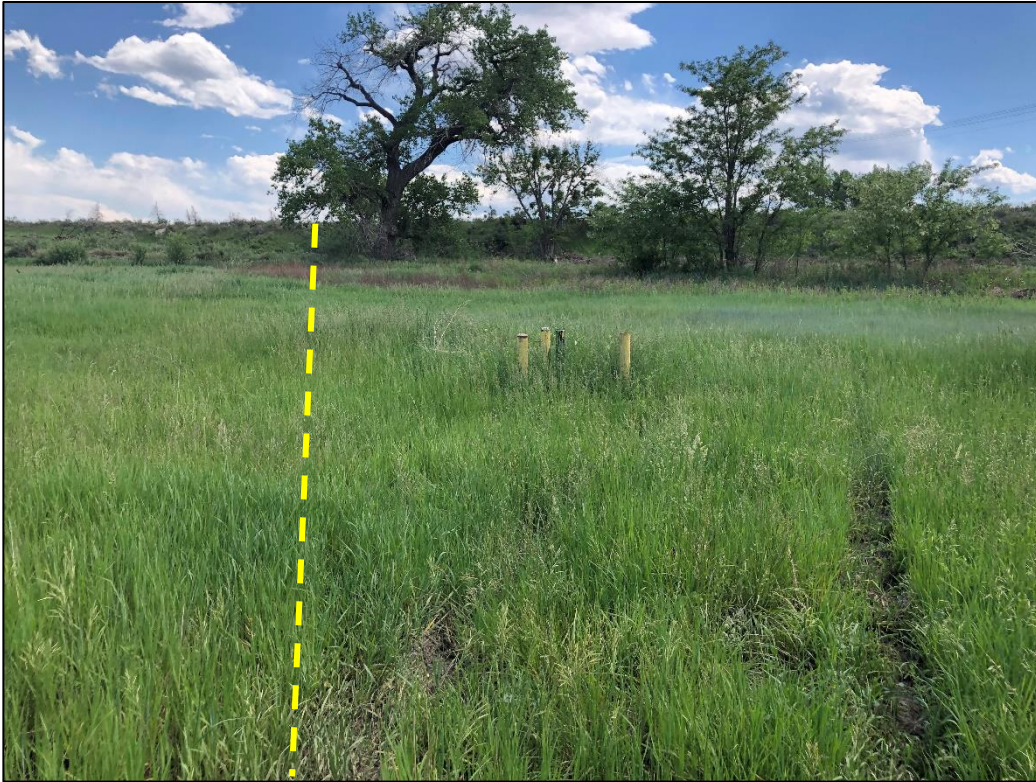


Photo 3. View looking south along eastern permit boundary (south of Hwy 66/Ute Hwy; approximate location indicated with yellow dashed line), which terminates in the vicinity of the large tree in the background. The corners of the permit boundary need to be marked with posts or other markers.



Photo 4. View looking west toward stockpiling area (on other side of berm) where conveyor deposits material mined and crushed in northern portion of permit area, north of Hwy 66/Ute Hwy. The area shown in this photo is included in the southern portion of the permit area for Dowe Flats Mine.



Photo 5. View looking east across maintenance road which crosses railroad tracks then runs south adjacent to conveyor system. A portion of the permit boundary (south of Hwy 66/Ute Hwy) runs along the northern edge of this road (approximate location indicated with yellow dashed line).



Photo 6. View looking north from main access road. The permit area includes this portion of the access road and extends to the east and west of the road. The corners of the permit boundary in this area need to be marked with posts or other markers.

Inspection Contact Address

Cita Cisse
CEMEX, Inc.
P.O. Box 529
Lyons, CO 80540

Encls: Affected area map, submitted with TR-4
Mining plan map, submitted with TR-4
Reclamation plan map, submitted with TR-4

CC: Uwe Lubjuhn, CEMEX, Inc.
Scott Marcus, CEMEX, Inc.
Robin Bay, Habitat Management, Inc.
Michael Cunningham, DRMS



Active Mining Disturbance	Affected Area Boundary	Conveyor
Reclamation In Progress	Primary Pit Boundary	Buried Conveyor
Reclaimed	Waste Rock Stockpile	Structure
Growth Media Stockpile	Permit Boundary	
Conveyor Corridor	Dowe Flats Property Boundary	
Roads & Other Disturbance		

2019 NAIP Imagery from Natural Resources Conservation Service
<https://nrcs.app.box.com/v/gateway>

0 1,000 2,000 4,000 Feet

1 inch = 475 feet

DOWE FLATS QUARRY

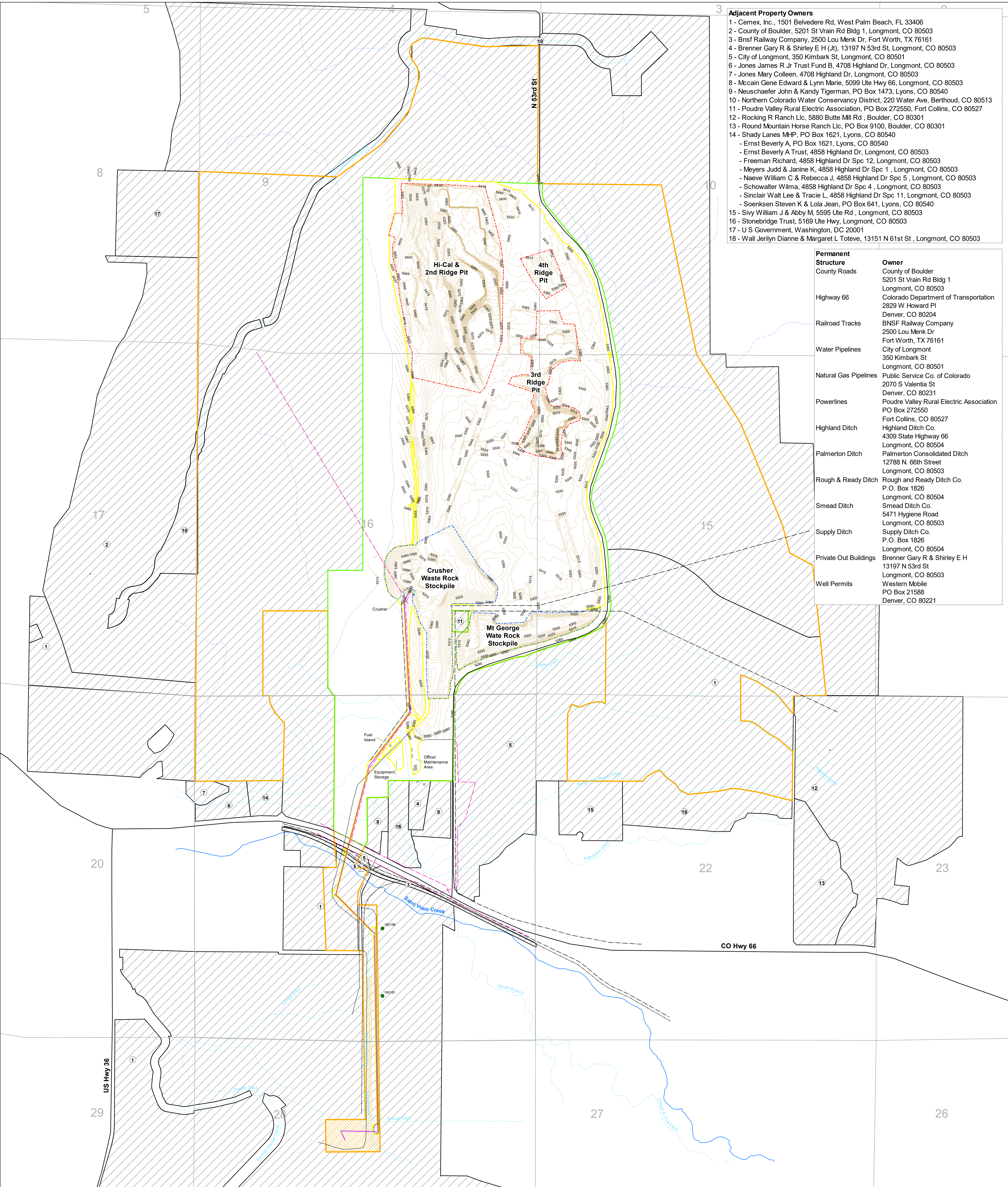
M-1993-041

Figure 1: Affected Area Status Map TR-04

Date: 3/20/2020

Drawn by: RFB

REVISIONS



- Adjacent Property Owners**
- 1 - Cemex, Inc., 1501 Belvedere Rd, West Palm Beach, FL 33406
 - 2 - County of Boulder, 5201 St Vrain Rd Bldg 1, Longmont, CO 80503
 - 3 - Bnsf Railway Company, 2500 Lou Menk Dr, Fort Worth, TX 76161
 - 4 - Brenner Gary R & Shirley E H (Jt), 13197 N 53rd St, Longmont, CO 80503
 - 5 - City of Longmont, 350 Kimbark St, Longmont, CO 80501
 - 6 - Jones James R Jr Trust Fund B, 4708 Highland Dr, Longmont, CO 80503
 - 7 - Jones Mary Colleen, 4708 Highland Dr, Longmont, CO 80503
 - 8 - McCain Gene Edward & Lynn Marie, 5099 Ute Hwy 66, Longmont, CO 80503
 - 9 - Neuschaefer John & Kandy Tigerman, PO Box 1473, Lyons, CO 80540
 - 10 - Northern Colorado Water Conservancy District, 220 Water Ave, Berthoud, CO 80513
 - 11 - Poudre Valley Rural Electric Association, PO Box 272550, Fort Collins, CO 80527
 - 12 - Rocking R Ranch Llc, 5880 Butte Mill Rd, Boulder, CO 80301
 - 13 - Round Mountain Horse Ranch Llc, PO Box 9100, Boulder, CO 80301
 - 14 - Shady Lanes MHP, PO Box 1621, Lyons, CO 80540
 - Ernst Beverly A, PO Box 1621, Lyons, CO 80540
 - Ernst Beverly A Trust, 4858 Highland Dr, Longmont, CO 80503
 - Freeman Richard, 4858 Highland Dr Spc 12, Longmont, CO 80503
 - Meyers Judd & Janine K, 4858 Highland Dr Spc 1, Longmont, CO 80503
 - Naevie William C & Rebecca J, 4858 Highland Dr Spc 5, Longmont, CO 80503
 - Schowalter Wilma, 4858 Highland Dr Spc 4, Longmont, CO 80503
 - Sinclair Walt Lee & Tracie L, 4858 Highland Dr Spc 11, Longmont, CO 80503
 - Soenksen Steven K & Lola Jean, PO Box 641, Lyons, CO 80540
 - 15 - Sivy William J & Abby M, 5595 Ute Rd, Longmont, CO 80503
 - 16 - Stonebridge Trust, 5169 Ute Hwy, Longmont, CO 80503
 - 17 - U S Government, Washington, DC 20001
 - 18 - Wall Jerilyn Dianne & Margaret L Toteve, 13151 N 61st St, Longmont, CO 80503

Permanent Structure	Owner
County Roads	County of Boulder 5201 St Vrain Rd Bldg 1 Longmont, CO 80503
Highway 66	Colorado Department of Transportation 2829 W Howard Pl Denver, CO 80204
Railroad Tracks	BNSF Railway Company 2500 Lou Menk Dr Fort Worth, TX 76161
Water Pipelines	City of Longmont 350 Kimbark St Longmont, CO 80501
Natural Gas Pipelines	Public Service Co. of Colorado 2070 S Valentia St Denver, CO 80231
Powerlines	Poudre Valley Rural Electric Association PO Box 272550 Fort Collins, CO 80527
Highland Ditch	Highland Ditch Co. 4309 State Highway 66 Longmont, CO 80504
Palmerton Ditch	Palmerton Consolidated Ditch 12788 N. 66th Street Longmont, CO 80503
Rough & Ready Ditch	Rough and Ready Ditch Co. P.O. Box 1826 Longmont, CO 80504
Smead Ditch	Smead Ditch Co. 5471 Hygiene Road Longmont, CO 80503
Supply Ditch	Supply Ditch Co. P.O. Box 1826 Longmont, CO 80504
Private Out Buildings	Brenner Gary R & Shirley E H 13197 N 53rd St Longmont, CO 80503
Well Permits	Western Mobile PO Box 21588 Denver, CO 80221

Public Road

Private Road

Railroad

Pipeline

Overhead Powerline

Perennial Stream

Intermittent Stream

Ditch

Well Permit

Conveyor

Buried Conveyor

Current Topography (Jan 2019, 5-ft interval)

Structure

PLSS Section

Adjacent Surface Owners

Overlap with Permit M-1977-208

Affected Area Boundary

Permit Boundary

Dowe Flats Property Boundary

Primary Pit Boundary

Waste Rock Stockpile

0

1,000

2,000

4,000

Feet

1 inch = 475 feet

N

DOWE FLATS QUARRY

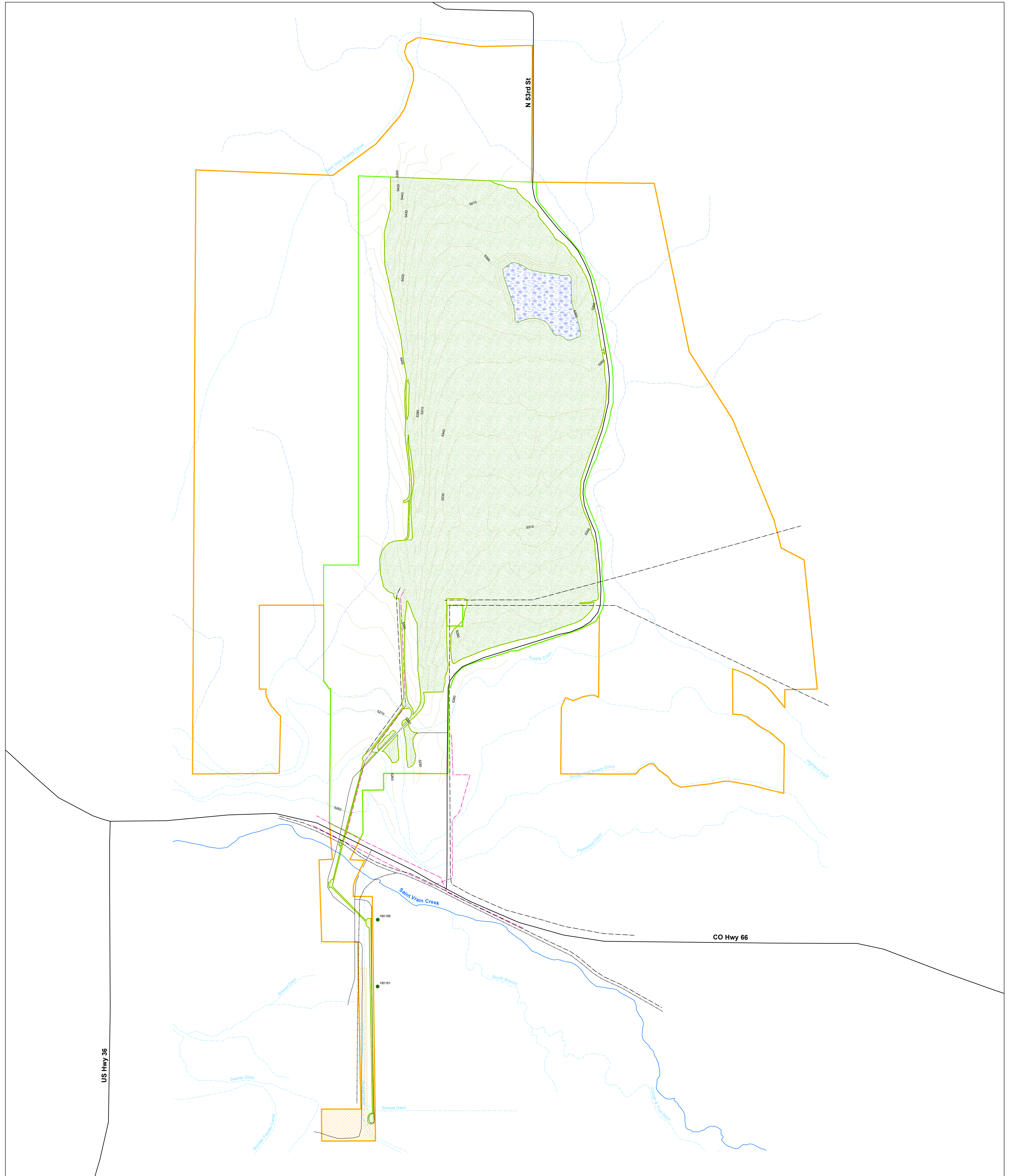
M-1993-041

Figure 2: Mining Plan Map TR-04

Date: 3/20/2020

Drawn by: RFB

REVISIONS



<p>Reclamation Contour Public Road Affected Area Boundary</p> <p>Reclaimed Grassland Private Road Permit Boundary</p> <p>Reclaimed Wetland Railroad Dowe Flats Property Boundary</p> <p>Perennial Stream Overhead Powerline Overlap with Permit M-1977-208</p> <p>Intermittent Stream Pipeline</p> <p>Ditch Well Permit</p>			<p>0 1,000 2,000 4,000 Feet</p> <p>1 inch = 475 feet</p>		<p>DOWE FLATS QUARRY M-1993-041</p> <p><i>Figure 3: Reclamation Plan Map TR-04</i></p>		<p>Date: 3/20/2020</p> <p>Drawn by: RFB</p>		<p>REVISIONS</p>	
