




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: Solberg Pit	MINE/PROSPECTING ID#: M-1981-044	MINERAL: Sand and gravel	COUNTY: El Paso
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy Cazier, P.E.	INSP. DATE: March 24, 2021	INSP. TIME: 14:00
OPERATOR: Solberg Gravel LLC	OPERATOR REPRESENTATIVE: Jason Ulmer	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$175,100.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 25, 2021

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 mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The Permittee/Operator must provide sufficient information to describe or identify how the operator intends to conduct the operation, to update the extent of the maximum allowed disturbed area at a given time, water usage and associated Exhibits as described under "Gen. Compliance with Mine Plan" in this report.

CORRECTIVE ACTIONS: The Permittee/Operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date.

CORRECTIVE ACTION DUE DATE: 7/26/21

OBSERVATIONS

This inspection was conducted as part of the regular monitoring program. The Permittee (Solberg Gravel) was represented by Mr. Jason Ulmer during the inspection. The Solberg Pit is accessed from Curtis Rd just south of Garrett Rd (approximately 3 miles east and 1.5 miles south of Falcon. This is a 112c sand and gravel mine. It was operating at the time of the inspection.

Availability of Records: Annual fees are paid through April 2021. The previous inspection was on August 25, 2016. An infraction related to the mine plan remains from the previous inspection (see "Gen. Compliance with Mine Plan" below). Both the surface and minerals are privately owned. The approved post-mine land use is rangeland.

Backfilling and Grading: The mine has expanded to the southeast (see **Photo 1**) since the previous inspection. This area is being mined deeper than the northern portions of the pit. Mr. Ulmer indicated this deeper excavation would be backfilled with material for the older fines stockpiles (see **Photo 2**), heretofore on the southern limit of the mine disturbance positioned towards the west edge.

Excess Spoil and Dev. Waste: There is very little overburden at this site. Some oversize rocks were piled on the west side.

Financial Warranty: The bond was increased to \$175,100 after the 2016 inspection. Due to the expansion, the site is under bonded again. The bond will be re-evaluated along with the required technical revision discussed below.

Fish and Wildlife: No impact to wildlife was observed. Some Canada geese were observed on the west pond.

Hydrologic Balance: Some stormwater was observed in the pit (see **Photo 1**). Sediment laden water was observed in the wash ponds (see **Photo 3** and **4**) and the water surge pond to the south of the wash plant (see **Photos 2** and **5**). According to the 1990 conversion application (the last time Exhibit G was updated), groundwater is approximately 100 feet below the undisturbed ground. Assuming this is correct, no exposed groundwater was observed. Also based on the 1990 conversion application Exhibit G, no product washing was planned for this operation. The only planned water use was for dust control, which was to be obtained locally from domestic sources, usually the permittee's ranch. **The current water usage is not in accordance with the approved permit and must be updated with the TR required as part of the corrective action listed in the Problem on Page 1 of this report.**

Gen. Compliance with Mine Plan: The operation has significantly exceeded the maximum disturbed area at one time (25 acres as approved in AM-02, 2007). 2019 Google Earth imagery was used to measure the disturbed area, with additional area based on field observations. This affected area was estimated to be 130 acres (including ~10.5 acres of mostly reclaimed area on the north side). As the disturbed area is all approved affected area, this is not considered "mining outside the approved affected area" which is a more serious infraction. However, **the estimated 130 acres of disturbance exceeds the maximum allowed disturbance of 25 acres and is cited as a problem on page 1 of this report.** There is also a discrepancy in AM-02 as to whether or not the entire 234.56-acre permit area is considered affected area. The text in AM-02 indicates the entire permit area is considered affected, whereas the maps (Exhibits C, F and S) show a buffer between the permit and affected area boundaries and drawing notes stating the affected area is only 227.66 acres.

The corrective action required technical revision must address the following:

- Clarify whether the affected area is 227.66 or 234.56 acres;

- Update the Exhibits C (mine map) and D (mining plan) to expand the maximum disturbed area at one time to a reasonably expected future (at least one year out) and add the wash plant to the operation;
- Update Exhibits E (reclamation plan) and F (reclamation map) to include additional reclamation associated with the increase disturbed area, and other items as necessary;
- Update Exhibit G (Water Information) to include the wash plant water demand and add the well(s) to the permit;
- Update Exhibit L (Reclamation Costs) to reflect additional reclamation tasks and costs;
- Update Exhibit S (Structures) with a structure damage compensation agreement with the Permittee for the relatively new power line (installed between 2011 and 2015, based on Google Earth imagery) on the south side of the permit.

Highwalls were estimated to vary between 20 and 40 feet in height (which is within the AM-02 approved "maximum of 40 to 50 feet with an average of 30 feet") and appeared stable (see **Photos 1 and 6**).

Off-site Damage: The operation appeared to be confined to the affected area boundary, based on Google Earth review and site observations. Mr. Ulmer pointed out the fence the landowner/Permittee (Solberg Gravel) moves as the lease with the Operator (Pioneer Sand) expands to additional area (see **Photo 7**).

Processing Waste: The majority of the processing waste is wash fines, stockpiled south of the surge pond.

Roads: Dust control was not being implemented on the day of the inspection as the weather provided sufficient moisture. Haul and access roads are primarily sand (see **Photo 8**) and did not appear to be a source of sediment that could be tracked offsite.

Right of Entry: The land is owned by the Permittee.

Reclamation Success: No reclamation has been initiated. However, some of the north side has self-reclaimed to some extent as stated in the previous inspection report

Revegetation: No noxious weeds were observed.

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

Support Facilities On-site: Five screen plants (see **Photo 9**), a new clarifier (see **Photo 10**), five loaders, an excavator, and three articulated haul trucks (see **Photo 11**) were observed on site.

Signs and Markers: The permit sign was properly posted (see **Photo 8**) and the permit boundary is marked with t-post and wire fencing.

Permit Stipulations: There are no permit stipulations.

Storm Water MGT Plan: No oil or fuel spills observed. Stormwater drains to the pit and infiltrates.

Topsoil: A topsoil stockpile was observed on the south side of the pit (see **Photo 12**).

Structures: There are powerlines within 200 feet of the affected area on the north, east and south boundaries of the permit, as well as Curtis Road on the east and Garrett Road on the north.

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. Deepest portion of southern pit & stable east & south highwalls (looking SE).



Photo 2. East end of surge pond for clarifier (looking SSE from clarifier).

PHOTOGRAPHS (cont.)



Photo 3. Northeast settling pond (east side of clarifier, looking ENE).



Photo 4. Center east settling pond (east side of clarifier, looking ESE).

PHOTOGRAPHS (cont.)



Photo 5. West end of surge pond for clarifier (looking SSW from clarifier).



Photo 6. Active southern pit & stable south highwall (looking south).

PHOTOGRAPHS (cont.)



Photo 7. Active mining fence boundary (west side, looking NW – mining to the right/east side).



Photo 8. Permit sign at entrance and typical sandy haul road (looking north).

PHOTOGRAPHS (cont.)



Photo 9. One of five screen plants (looking NW from clarifier).



Photo 10. Wash plant clarifier (looking west, settling pond in foreground).

PHOTOGRAPHS (cont.)



Photo 11. Excavator & articulated haul truck (south/active pit, looking SW).



Photo 12. Topsoil stockpile (south side of active pit, looking SE).

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- PB	(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 / N = Not inspected / NA = Not applicable to this operation / **PB = Problem cited** / PV = Possible violation cited

Inspection Contact Address

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ec: DRMS file
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