




**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> Rudibaugh Pit	<b>MINE/PROSPECTING ID#:</b> M-1995-057	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Gunnison
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Dustin Czapla	<b>INSP. DATE:</b> May 24, 2021	<b>INSP. TIME:</b> 15:00
<b>OPERATOR:</b> Deb Rudibaugh	<b>OPERATOR REPRESENTATIVE:</b>	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$11,574.00
<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> June 9, 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.**

**1. INSPECTION TOPIC:** Availability Of Records

**PROBLEM/POSSIBLE VIOLATION:** Problem: The annual report and fee are past due for this site. The report and fee were due March 7, 2020, and again on March 7, 2021. To date, the annual fees, reports and maps have not been submitted to the Division. On May 19, 2021 the Mined Land Reclamation Board revoked the permit.

**CORRECTIVE ACTIONS:** NA: Permit revoked May 19, 2021

**CORRECTIVE ACTION DUE DATE:** NA: Permit revoked May 19, 2021

**2. INSPECTION TOPIC:** Excess Spoil & Dev. Waste

**PROBLEM/POSSIBLE VIOLATION:** Problem: Trash and refuse was noticed within the permit area. The south portion of the permit area has been used as a junkyard. Junk vehicles/equipment and various refuse were stored in this area. On August 28, 2018 the Mined Land Reclamation Board issued an order finding the

operator in violation for failing to control the unsightliness or deleterious effects of refuse and imposed a corrective action requiring the operator remove all trash and scrap vehicles from the site by November 26, 2018. Although the operator has made significant progress, cleanup of the site has not yet been completed. This is an outstanding problem for failure to dispose of refuse in a manner that controls unsightliness or deleterious effects of such refuse pursuant to C.R.S. 34-32.5-116(4)(e).

**CORRECTIVE ACTIONS:** NA: Permit revoked May 19, 2021

**CORRECTIVE ACTION DUE DATE:** NA: Permit revoked May 19, 2021

**3. INSPECTION TOPIC:** Financial Warranty

**PROBLEM/POSSIBLE VIOLATION:** Problem: On August 28, 2018 the Mined Land Reclamation Board issued a violation for failing to fulfill the requirements of a surety increase notice and imposed a corrective action requiring the operator to submit additional financial warranty in the amount of \$10,266.00 by September 27, 2018. To date, the operator has not submitted adequate financial warranty.

**CORRECTIVE ACTIONS:** NA: Permit revoked May 19, 2021

**CORRECTIVE ACTION DUE DATE:** NA: Permit revoked May 19, 2021

**4. INSPECTION TOPIC:** Signs & Markers

**PROBLEM/POSSIBLE VIOLATION:** Problem: The mine identification sign was not posted at the entrance of the mine site. This is an outstanding problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule.

**CORRECTIVE ACTIONS:** NA: Permit revoked May 19, 2021

**CORRECTIVE ACTION DUE DATE:** NA: Permit revoked May 19, 2021

## **OBSERVATIONS**

This inspection was conducted in order to follow up on unresolved problems at the site, and to verify mining operations have ceased. On May 19, 2021 the Mined Land Reclamation Board revoked this permit for operator's failure to submit past due annual reports and fees, and found that the financial warranty is subject to forfeiture. A representative for the operator was not present. Photographs are included with this report in order to illustrate some of the conditions observed.

The Rudibaugh Pit is located approximately five miles north of Parlin and accessed from CR76. The site was a 110c operation including a total of 9.9 permitted acres.

The Division currently holds an insufficient financial warranty amount of \$11,574.00 for this site. On March 20, 2018 the Division sent the operator a notice to increase the financial warranty. The operator failed to submit the additional financial warranty by the statutory deadline. On August 28, 2018 the Mined Land Reclamation Board issued an order finding the operator in violation for failing to fulfill the requirements of a surety increase notice and imposed a corrective action requiring the operator to submit additional financial warranty in the amount of \$10,266.00 by September 27, 2018. The operator failed to submit the additional financial warranty.

Excessive trash and refuse were observed within the permit area. The south portion of the permit area has been used as a junkyard. Junk vehicles/equipment and various refuse were stored in this area. This issue was documented in previous inspection reports. On August 28, 2018 the Mined Land Reclamation Board issued an order finding the operator in violation for failing to control the unsightliness or deleterious effects of refuse and imposed a corrective action requiring the operator to remove all trash and scrap vehicles from the site by November 26, 2018. Although the operator made significant progress, cleanup of the site was not completed. Various trash/scrap piles, a large pile of old tires, and several pieces of dilapidated farm equipment remain on site.

Adequate mine identification signage was not in place at the site.

The affected area is marked by posts and fencing that is adequate to delineate the affected area boundary.

Other problems or violations were not noted during this inspection.

Evidence of recent mining activity was not noted during this inspection. The operator/operator representative should be aware that this permit has been revoked, and that mining activity is no longer authorized at this site.

Responses to this inspection report should be directed to Dustin Czapla at the Division of Reclamation, Mining and Safety, 1313 Sherman Street Room 215, Denver, Colorado, 80203, phone number (303) 866-3567, ext. 8188.

## PHOTOGRAPHS





**Inspection Contact Address**

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