

July 14, 2021

Casey McClellan
McStone Aggregates, LLC
P.O. Box 1525
Dolores, CO 81323-1525



1313 Sherman Street, Room 215
Denver, CO 80203

RE: New Hay Camp Pit, Permit # M-2013-031, Unresolved Problem(s) Noted in a Past Inspection Report

Mr. McClellan:

According to records kept by the Division of Reclamation, Mining and Safety (Division), a problem noted in a past mine site inspection report has not been corrected. If the problem has already been corrected, documentation of the corrective action(s) taken to correct the problem(s) must be submitted to our office.

Please see the enclosed inspection report, issued as a result of a past inspection of this site. Problems noted in this report that remain unresolved, according to our records, have been highlighted.

To avoid potential future enforcement actions for non-compliance with State Statutes, Rules and Regulations, and/or conditions specified in your permit, you must submit compliance documentation with the corrective actions specified for each of the indicated problems by ***Wednesday, September 15, 2021***.

If you require additional information, or have questions or concerns, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dustin Czapl'.

Dustin Czapl
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
Phone: (303) 866-3567, ext. 8188






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: New Hay Camp Pit	MINE/PROSPECTING ID#: M-2013-031	MINERAL: Sand and gravel	COUNTY: Montezuma
INSPECTION TYPE: Monitoring	INSPECTOR(S): Dustin Czapla	INSP. DATE: April 28, 2021	INSP. TIME: 08:00
OPERATOR: McStone Aggregates, LLC	OPERATOR REPRESENTATIVE:	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$32,067.45
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 13, 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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign noted at the entrance gate is not in compliance with Rule 3.1.12(1) because it does not contain the required information. Rule 3.1.12(1) states that at the entrance of the mine site the Operator shall post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: (a) the name of the Operator and the operation name; (b) a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and (c) the permit number.

CORRECTIVE ACTIONS: Pursuant to Rule 3.1.12(1) the Operator shall post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: (a) the name of the Operator and the operation name; (b) a statement that a reclamation permit for the

operation has been issued by the Colorado Mined Land Reclamation Board; and (c) the permit number. Once posted the Operator shall submit to the Division photographic evidence that the sign has been posted.

CORRECTIVE ACTION DUE DATE: July 13, 2021

OBSERVATIONS

This inspection was conducted as part of the Division of Reclamation, Mining and Safety's (Division) normal monitoring program. A representative for the operator was not present. Photographs are included with this report in order to illustrate some of the conditions observed.

The New Hay Camp Pit is located approximately two miles southeast of Dolores and accessed from Hay Camp Mesa Road. The site is a 112c operation that includes a total of 200 permitted acres. The Division currently holds a financial warranty amount of \$32,067.45 for this site. The Division has reviewed the reclamation costs, in order to ensure the financial warranty reflects the actual current cost of fulfilling the requirements of the Reclamation Plan, and determined that the current financial warranty amount is sufficient.

The mine identification sign noted at the entrance gate is not in compliance with Rule 3.1.12(1) because it does not contain the required information. Rule 3.1.12(1) states that at the entrance of the mine site the Operator shall post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: **(a) the name of the Operator and the operation name; (b) a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and (c) the permit number.** This has been noted as a problem on page one of this report.

The affected area is clearly marked by berms, posts and fencing. All mining disturbance appears to be contained within the permit area.

The operation is active. Mining and crushing were occurring during this inspection. Mined slopes on the east and north sides of the pit are graded to approximately 2H:1V and appear stable. No erosional or stability issues were noted. Mining is progressing to the west. A vertical highwall exists in the active mining area. Topsoil has been salvaged from the area above the active mine face. Various materials stockpiles are located throughout the pit floor.

No other problems or violations were noted during this inspection.

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



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>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>PB</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>Y</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

Inspection Contact Address

Casey McClellan
McStone Aggregates, LLC
P.O. Box 1525
Dolores, CO 81323-1525