




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: Valco T Pit	MINE/PROSPECTING ID#: M-2004-043	MINERAL: Sand and gravel	COUNTY: Las Animas
INSPECTION TYPE: Monitoring	INSPECTOR(S): Jared Ebert	INSP. DATE: September 13, 2021	INSP. TIME: 02:15
OPERATOR: Larry and Christine Tortorice	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$48,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: September 23, 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: 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: 10/25/21

INSPECTION TOPIC: Signs & Markers

PROBLEM: The mine identification sign was damaged and unreadable. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. The Operator shall, at the entrance of the mine site 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: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number.

CORRECTIVE ACTIONS: The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: 10/25/21

OBSERVATIONS

This was a monitoring inspection of the Valco T Pit, Division of Reclamation, Mining and Safety (DRMS or Division) permit number M-2004-043, operated by Larry and Christine Tortorice (Operator). I, Jared Ebert with DRMS conducted the inspection. Ms. Christine Tortorice was aware of the inspection but did not attend.

DRMS received an application for the operation to enter into temporary cessation (TC2) pursuant to Rule 1.13 on June 14, 2021. The application was deemed incomplete on June 21, 2021 because the Operator had not submitted the entire fee required for a temporary cessation application. The Division received the additionally required fee for the application on July 30, 2021. The application was deemed complete and filed on August 4, 2021. Based on the annual reports submitted by the Operator, the last known date of mining activity at the site was September 29, 2014. The first term of temporary cessation begins 180 days after production ceases, in this case March 28, 2015. The first term of temporary cessation allowed by Rule 1.13.5(1)(a) would have expired on March 28, 2020. Given this, the Division will consider the TC2 application as a request for a second term of temporary cessation in accordance with Rule 1.13.5(3). If the TC2 application is approved by the Mined Land Reclamation Board (Board), the second term of temporary cessation should expire on March 28, 2025. Prior to the Board's consideration of the TC2 application, the problems cited above will need to be addressed to the satisfaction of the Division.

Availability Of Records:

The Division has reviewed the annual reports submitted by the Operator since 2014. On the 2019 and 2020 annual report, for question #4, the Operator indicated that mining activity had not yet occurred at the site. This is incorrect, mining has occurred at the site and based on the 2017/2018 annual reports, the last recorded mining activity occurred on September 29, 2014, about seven years ago. Given this, DRMS will consider the operation to have ceased production starting on September 29, 2014.

Backfilling and Grading:

The last DRMS inspection was conducted by me on March 20, 2019. At that time, the affected land was measured using ArcCollector and found to be about 6.3 acres in size. During this inspection the affected area was walked and it was determined to be the same size as it was in 2019. It does not appear that additional land has been affected since March 20, 2019. The highwall was the same size and configuration as noted in the March 20, 2019 inspection report. The highwall exists at the site and has a eastern and northern aspect. The highwall is about 10 feet in height and is nearly vertical. The highwall is about 970 feet in length and is partially bisected by a trail/road that lead to the top of the highwall. Otherwise, pit floor is relatively gentle.

Financial Warranty:

The Division currently holds a Letter of Credit in the amount of \$48,000.00. Enclosed is the DRMS cost estimate of the current reclamation liability of the site. The currently held bond amount is adequate and no adjustments are required at this time.

Gen. Compliance With Mine Plan:

The Operator has temporarily ceased production without first obtaining approval in accordance with Rule 1.13. However, as indicated above the Operator has submitted an application to enter temporary cessation (TC2). Otherwise, the operation appears to have been conducted in accordance with the approved mining plan prior to ceasing production.

Reclamation Success:

The Operator has not initiated reclamation of the site.

Signs and Markers:

The mine identification sign was nearly unreadable at the entrance of the site. The permit boundary markers were missing. These issues are cited as a problem at the beginning of this report.

PHOTOGRAPHS



Figure 1. Unreadable mine entrance sign.



Figure 2. From the northwest corner of the site looking south.



Figure 3. From the northwest corner of the site looking southeast



Figure 4. From the southwest corner of the highwall looking southeast.



Figure 5. From the southwest corner of the highwall looking north.



Figure 6. From the pit floor looking south at the highwall.

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>NA</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>NA</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>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</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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Trinidad, CO 81082

Enclosure: September 23, 2021 Cost Estimate

CC: None