




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: J & P Trucking Pit # 1	MINE/PROSPECTING ID#: M-2011-021	MINERAL: Borrow material for and sand and gravel	COUNTY: Baca
INSPECTION TYPE: Monitoring	INSPECTOR(S): Jared Ebert	INSP. DATE: October 12, 2021	INSP. TIME: 11:30
OPERATOR: J & P Trucking	OPERATOR REPRESENTATIVE: Jeff Chenoweth	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$27,841.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 18, 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: Financial Warranty

POSSIBLE VIOLATION: On September 21, 2021, DRMS received a notice from TBK Bank that the Letter of Credit issued as a financial warranty for the J & P Trucking Pit #1, permit number M-2011-021 will mature and not renew as of September 27, 2021. DRMS responded with a letter dated September 28, 2021 and indicated the cancellation of the bond would be effective December 27, 2021 per the provisions of the bond. Therefore the Division believes the financial warranty is not being maintained for the entire life of the permit. Based on these findings, this is a possible violation of C.R.S. 34-32.5-117(6)(a) for failure to maintain a financial warranty in good standing for the entire life of a permit issued under this article.

CORRECTIVE ACTIONS: A hearing is scheduled before the Mined Land Reclamation Board (MLRB) during the November 17 and 18, 2021 MLRB meeting. The Permittee should either cause the Financial Warranty to renew or submit a replacement warranty.

CORRECTIVE ACTION DUE DATE: 11/17/21

OBSERVATIONS

This was a monitoring inspection of the J & P Trucking Pit #1, Colorado Division of Reclamation, Mining and Safety (DRMS or Division) permit number M-2011-021 operated by J & P Trucking. I, Jared Ebert with DRMS conducted the inspection. Mr. Jeff Chenoweth with J & P Trucking accompanied me during the inspection. DRMS received a notice on September 21, 2021 from TBK Bank, the financial warrantor for the site that the bond would mature and not renew as of September 27, 2021. DRMS responded to the bank and accepted the notice and indicted that per the condition of the Letter of Credit, the bond would expire on December 27, 2021. The Division sent a Reason to Believe a Violation Exists letter to J & P Trucking for a possible violation pertaining to this issue. A hearing pertaining to this matter will be held during the November 17 and 18, 2021 meeting of the Mined Land Reclamation Board (MLRB). According to Mr. Chenoweth, they are in the process of getting a replacement financial warranty through a different bank. This inspection was conducted to evaluate the condition of the site.

The mine entrance sign is in place and the boundary is marked.

The annual report map submitted on August 16, 2021 accurately depicts the condition of the site. The affected land consists of a haul road from the east end of the site that leads to the Phase 1 area and then into the Phase 2 area. The operator has affected land in both the Phase 1 area and the Phase 2 area. Using ArcCollector, the Division estimates that about 2.18 acres have been affected in the Phase 2 area, and 5.38 acres have been affected in the Phase 1 area (excluding the area of the haul road). About half of the Phase 2 area has been graded and reclaimed. A pile of topsoil exists on the south side of the Phase 2 area. The former excavated area consists of a shallow basin with very gentle side slopes. Desired native grass species such as blue grama grass and sand dropseed have begun to establish in the area as well as yucca.

The Phase 1 area also consists of a shallow excavated area with gentle slopes. Topsoil is stockpiled adjacent to the affected area on the east, west, and south sides. Several stockpiles of product exists in the Phase 1 area. The mine was not active at the time of the inspection. J & P Trucking has reclaimed about .5 acres on the north side of the Phase 1 area. Dense grass, forbs, and some yucca have begun to establish in the reclaimed area.

The financial warranty in place for this site is \$27,841.00. This amount would be adequate to reclaim the affected land at this time.

PHOTOGRAPHS



Figure 1. From the northeast corner of the Phase 1 affected land looking west.



Figure 2. From the north end of the Phase 1 area looking south.



Figure 3. From the southwest corner of the Phase 2 affected land looking east.



Figure 4. From the southeast corner of the affected land looking north.



Figure 5. From the northwest corner of the Phase 2 area looking southeast.



Figure 6. From the center of the Phase 1 area looking south.

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>PV</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>NA</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(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>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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Enclosure: None

CC: None