



STATE OF
COLORADO

Zuber - DNR, Rob <rob.zuber@state.co.us>

Inspection report

1 message

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Fri, Nov 12, 2021 at 11:23 AM

To: Marcy Brossman <ccadmin@rebeltec.net>, Victor Gibbs <RBdist@icloud.com>

Marcy and Victor -

Please find attached my report from my inspection this week. Let me know if you have questions.

Regards,
Rob

Rob Zuber, P.E.
Environmental Protection Specialist
Active Mines Regulatory Program



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567, extension 8113 | Cell 720.601.2276
1313 Sherman Street, Room 215, Denver, CO 80203
rob.zuber@state.co.us | <http://drms.colorado.gov>




INSP-REPORTMWP_M1983106_TC1_11122021110857.pdf
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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: Pit No 2	MINE/PROSPECTING ID#: M-1983-106	MINERAL: Sand and gravel	COUNTY: Cheyenne
INSPECTION TYPE: Monitoring	INSPECTOR(S): Robert Zuber, P.E.	INSP. DATE: November 9, 2021	INSP. TIME: 10:50
OPERATOR: Cheyenne County	OPERATOR REPRESENTATIVE: Victor Gibbs	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$0.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Cloudy	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 12, 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 affected area boundary markers are missing in many locations. 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: 1/07/22

INSPECTION TOPIC: Topsoil

PROBLEM/POSSIBLE VIOLATION: Problem: The topsoil stockpiles do not have established vegetation on them and are therefore susceptible to erosion. Rule 3.1.9(1) states if topsoil is not replaced into the backfill area within a time short enough to avoid deterioration of the topsoil, vegetative cover or other means shall be employed so that the topsoil is protected from erosion.

CORRECTIVE ACTIONS: The operator shall seed the stockpiles with the seed mix that was submitted as part of the approved Reclamation Plan. If no seed mix has been provided, the operator shall submit a seed mix for approval as a technical revision to the permit along with the appropriate \$216 revision fee to the Division by the corrective action date. The Operator shall demonstrate compliance by submitting seed tags, a bill of sale or photographs of seeding activities. The Operator may also request a follow up inspection.

CORRECTIVE ACTION DUE DATE: 1/07/22

OBSERVATIONS

Rob Zuber of DRMS inspected Pit No. 2 on November 9, 2021 as part of the routine monitoring program. One representative of Cheyenne County, Victor Gibbs, was present. The site is approximately 1.5 miles southeast of Wild Horse, Colorado.

The site is a 112C operation (DRMS Permit Number M-1983-106) that is designated as currently active. The permit area is 65 acres. The approved post-mining land use is General Agriculture.

At the time of the inspection, no mining activity was in progress, and there was no sign of recent activity. No equipment or fuel tanks were on site. At the northwest portion of the site, the County is using an area of approximately ½ acre for culvert storage.

The weather was partly cloudy, and the temperature was warm. The ground was dry.

Hydrologic Balance:

There was no indication that runoff from the site is causing problems in the nearby creek. Near the pit at the southeast end, it is recommended that the operator improve the berm that captures runoff from the area. A better solution would be the use of Best Management Practices (aka BMPs such as erosion logs or straw bales), as these trap sediment but allow water to pass through. However, BMPs require more maintenance than the berm.

Gen. Compliance With Mine Plan:

In general, the disturbance area at the site matches the reclamation map and the annual report map. There is no mining disturbance beyond the approved affected area.

Roads:

No erosion or other problems were seen with the roads. Victor Gibbs indicated that the reclamation plan includes the roads.

Reclamation Success:

The reclaimed areas around the site are in acceptable condition except for the weeds mentioned in the Revegetation section of this report.

Revegetation:

In the reclaimed areas, vegetation cover is good with grasses, sunflowers, rabbitbrush, and other desirable species. Several cottonwood trees were present. A few tamarisk trees were seen around the site. Victor Gibbs indicated that the County has treated tamarisk in the past. The County should continue to treat these trees per Rule 3.1.10(6).

Signs and Markers:

The entrance sign does not meet all of the requirements of Rule 3.1.12. If this sign is updated in the future, it should include a statement that the site holds a permit with the Division of Reclamation, Mining and Safety.

Clear boundary markers are needed at all sides of the permit area, especially at corners. Where applicable, fence lines can be used, but where fences do not delineate the boundary, T-posts or other markers are needed. (Note that the permit area is the same as the affected area at this site.)

Topsoil:

The topsoil that is stockpiled onsite for reclamation is not being protected with a vegetation cover. This needs to be done by the operator by seeding the piles with the approved seed mix. Also, grading of piles should be done as necessary to prevent erosion.

PHOTOGRAPHS



Entrance sign



Reclaimed area with small bare spot and trees in background (tamarisk, cottonwood)



Grasses dominating reclaimed area



Area requiring improved drainage control in form of improved berm or BMPs



Active pit at southeast side of permit area

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>PB</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</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

Victor Gibbs
Cheyenne County
P.O. Box 567
Cheyenne Wells, CO 80810

CC: Michael Cunningham