



November 29, 2021

Memorandum

To: Mined Land Reclamation Board

From: Amy C Yeldell, EPS

**RE: Documents submitted by Division for December 15-16, 2021 Board Hearing;
Consideration of a Possible Violation for Failure failure to post additional financial
warranty within 60 days of the date of notice of adjustment, Permit No. M-2011-054,
Debeque Sand and Gravel Resources**

Dear Board Members,

Active Mines Program staff for the Division will be presenting a consideration of possible violations, cease and desist order, and civil penalties, for failure to post additional financial warranty within 60 days of the date of notice of adjustment.

The following documents have been included in the Board Packet:

- | | |
|---|---------------|
| 1. DRMS Inspection Report | May. 26, 2021 |
| 2. Notice of Surety Increase (SI-1) | Aug. 4, 2021 |
| 3. Reason to Believe a Violation Exists | Oct. 19, 2021 |
| 4. Notice of Virtual Hearing | Nov. 10, 2021 |
| 5. Revised-Notice of Virtual Hearing | Nov. 29, 2021 |




DRMS Inspection Report 5/26/2021



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: Debeque Sand and Gravel Resource	MINE/PROSPECTING ID#: M-2011-054	MINERAL: Gravel and sand	COUNTY: Mesa
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Yeldell	INSP. DATE: May 26, 2021	INSP. TIME: 13:00
OPERATOR: Oldcastle SW Group, Inc. dba United Comp	OPERATOR REPRESENTATIVE: Jason Burkey	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$548,245.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: DRMS	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: June 10, 2021	

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</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>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</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

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety (Division) normal monitoring program. Debeque Sand and Gravel Resources is a 112c permitted site that includes a total of 45.04 permitted acres. This site is located approximately three mile south of DeBeque, Colorado in Mesa County and is accessed from Highway 6. Jason Burkey and Tyra Bartuska with Oldcastle SW Group, Inc. dba United Companies of Mesa County represented the operator and accompanied Amy Yeldell of the Division conducted the inspection.

The mine identification sign and affected area boundary markers remain in place and in compliance with Rule 3.1.12. The mine identification sign is fastened to the gate at the site entrance. A wire fence delineates the permit boundary.

This site was inactive at the time of the inspection. According to Mr. Burkey the crusher has recently been demobilized. A scale and scale house is located near the pit entrance. A loader and jersey barriers are staged on far west side of pit for use as needed. No other equipment is stored on site at this time. One mobile fuel tank was on site in secondary containment. Several stockpiles are located throughout the site including asphalt millings.

All buildings still remain on site. The shed next to the boathouse is partially collapsed. Two portable toilets are placed next to the restroom building. One of them was observed on its side. A dumpster was observed. The site is clean and free of trash and other miscellaneous debris.

Currently both phase 1 and 2 lakes are open. Material is being removed from phase 1 with overburden being placed as fill in the phase 1 lake. The southeastern portion of phase 1 lake is backfilled. Highwalls of the lakes appear to be near vertical. Between both lakes approximately five acres of water is exposed. Under TR-1 eventually only lake 3 will remain with a surface area of 10.6 acres.

According to the 2021 Annual Reclamation Report 29.42 acres are currently affected. TR-1 approved a maximum of 20.5 ac disturbance/lands requiring topsoiling and seeding. Given that additional lakes could be constructed thus decreasing the areas needing revegetation this is not cited as a problem at this time. The Operator is reminded that the current bond only covers 20.5 acres of revegetation. If the operator chooses to delay concurrent reclamation then the bond will need to be increased to reflect the increased liability.

The topsoil from the affected lands is stored in visual berms between the pit and Highway 6. The piles have been seeded to protect against erosion however vegetation appears to be sparse. The operator may benefit from additional seeding to improve the quality of the stored topsoil. Given the lack of desirable vegetation the operator should be especially vigilant of noxious weeds to avoid contaminating future reclamation material.

The Division currently requires a financial warranty amount of \$548,245 for this site. The bond was last increased in 2018 with TR-1. In an effort to ensure the Financial Warranty adequately, reflects the actual current cost of fulfilling the requirements of the approved reclamation plan the Division will be updating the reclamation cost estimate. If the current bond is found to be insufficient the Division will send a Notice of Surety Increase under a separate cover.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Inspection Contact Address

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies
2273 River Road
Grand Junction, CO 81505

Enclosure

EC: Travis Marshall, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS





Photo Two: Scale and stockpiled in phase 3



Photo Three: Site overview, stockpiles in phase 2/3







Notice of Surety Increase (SI-1)

8/4/2021



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

1313 Sherman St. Room 215
Denver, CO 80203

August 4, 2021

Mr. Jason Burkey
Oldcastle SW Group, Inc. dba United Companies
2273 River Road
Grand Junction, CO 81502

**Re: Debeque Sand and Gravel Resource, Permit No. M-2011-054, Financial Warranty Increase,
Revision No. SI-1**

Dear Mr. Burkey:

On August 4, 2021 the Division of Reclamation, Mining and Safety increased the current Financial Warranty for this permit to \$704,245.00, in accordance with Rule 4.2.1 of the Rules and Regulations. This is an increase of \$156,000.00.

The Division ordered amendment of the current Financial Warranty, or submittal of a new Financial Warranty reflecting the increase, within 60 days (Monday, October 4, 2021) from the date of this letter. If you wish to submit a different type of Financial Warranty, please contact me such that I may send you the applicable form.

If you have any questions, please contact me.

Sincerely,

Amy C. Yeldell
Environmental Protection Specialist

cc: Sara M. Stevenson-Benn, DRMS

M-FW-14



COST SUMMARY WORK

Task description: Post inspection 2021 Update

Site: Debeque Sand and Gravel
Resource

Permit Action: 2021-08

Permit/Job#: M2011054

PROJECT IDENTIFICATION

Task #: ACY State: Colorado Abbreviation: None
Date: 8/4/2021 County: Mesa Filename: M054-000
User: ACY

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
01a	Dewater 10 acres of Pond	PUMPING	1	282.46	\$18,143
02a	Backfill 10 ac of Pond	SCRAPER1	2	170.45	\$423,257
03a	Topsoil 20.5 ac of disturbance	SCRAPER1	2	16.76	\$41,629
04a	Reveg 20.5 ac	REVEGE	1	30.00	\$46,062
05a	Initial mobilization of reclamation crew and equipment	MOBILIZE	1	3.60	\$9,744
05b	Secondary mobilization of reclamation crew and equipment	MOBILIZE	1	3.60	\$1,596
<u>SUBTOTALS:</u>				506.87	\$540,431

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance:	2.02	Total =	\$10,917
Performance bond:	1.05	Total =	\$5,675
Job superintendent:	253.43	Total =	\$18,255
Profit:	10.00	Total =	\$54,043
		TOTAL O & P =	\$88,889
		CONTRACT AMOUNT (direct + O & P) =	\$629,320

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs):	\$500	Total =	\$500
Engineering work and/or contract/bid preparation:	4.25	Total =	\$26,746
Reclamation management and/or administration:	5.00		\$31,466

CONTINGENCY: 3.00 Total = \$16,213

TOTAL INDIRECT COST = \$163,814

TOTAL BOND AMOUNT (direct + indirect) = \$704,245

PUMPING WORK

Task description: Dewater 10 acres of Pond

Site: Debeque Sand and Gravel Permit Action: 2021-08 Permit/Job#: M2011054
Resource

PROJECT IDENTIFICATION

Task #: 01A State: Colorado Abbreviation: None
Date: 8/4/2021 County: Mesa Filename: M054-01a
User: ACY

Agency or organization name: DRMS

HOURLY EQUIPMENT COST

	Description	Quantity
Make and Model:	Submersible pump - 460v, 8 in.	2
Attachment 1:	Suction hose - 6 in. diam., 25 ft.	2
Attachment 2:	Discharge hose - 6 in. D., 25 ft.	3
Labor Unit 1:	Pump operator	1
Horsepower:	95	
Shift Basis:	1 per day	
Weight:	0.70	
	(US Tons)	

Cost Breakdown:

	Utilization %
Ownership Cost/Hour: \$31.00	NA
Operating Cost/Hour: \$9.30	100
Operator Cost/Hour: \$28.23	NA
Total Unit Cost/Hour: \$68.53	
Total Fleet Cost/Hour: \$68.53	

PUMPING QUANTITIES

Initial Pond Volume:	250.00	Conversion factor:	325850.5800
Final Pond Volume:	81,462,645.00	gallons	
Total Pond Inflow Surface Area:	435,600	Sq. ft.	
Total Pond Inflow Volume per Hour:	76,578.48	gallons	
		Unit inflow rate in gph/sq. ft.:	0.1758

Source of estimated volume: 10 ac pond 10 ft deep

PUMPING TIME

Maximum Pump Capacity:	170,000	gph/pump
Estimated Suction Head:	5	feet
Estimated Discharge Head:	30	feet
Total Head:	35	feet
CPB Pump Capacity:	163,200	gph/pump
Site Altitude:	4,880	feet
Adjusted Pumping Capacity:	326,400	gph
Initial Unadjusted Pumping Time:	249.58	hours
Inflow during Initial Pumping:	19,112,394	gallons
Net Unadjusted Pumping Time:	308.13	Hours
Altitude Adjustment Factor:	1.0000	(3% rule)
Pump Efficiency Factor:	0.9167	(55 min./hr.)
Total Adjusted Pumping Time:	282.47	hours

JOB TIME AND COST

Total job time: 282.47 Hours

Unit cost: \$0.000192 /Gallon

Total job cost: \$19,357

SCRAPER TEAM WORKTask description: **Backfill 10 ac of Pond**Site: **Debeque Sand and Gravel**
ResourcePermit Action:
2021-08

Permit/Job#: M2011054

PROJECT IDENTIFICATIONTask #: 02A
Date: 8/4/2021
User: ACYState: Colorado
County: MesaAbbreviation: None
Filename: M054-02a

Agency or organization name: DRMS

HOURLY EQUIPMENT

COSTShift basis: 1 per day

	Equipment Description
-Scraper:	Cat 637G w/push-pull
-Dozer:	Cat D8T - 8SU
Support Equipment -Load Area:	Cat D8T - 8SU
-Dump Area:	Cat D8T - 8SU
Road Maintenance -Motor Grader:	NA
-Water Truck:	NA

Cost Breakdown:**Scraper Work Team****Support Equipment****Maintenance Equipment**

	Scraper	Dozer	Load Area	Dump Area	Motor Grader	Water Truck
%Utilization-machine:	100	100	50	50	NA	NA
Ownership cost/hour:	\$223.48	\$97.46	\$97.46	\$97.46	NA	NA
Operating cost/hour:	\$193.77	\$97.63	\$48.82	\$48.82	NA	NA
%Utilization-ripper:	NA	NA	30	NA	NA	NA
Ripper own. cost/hour:	NA	\$0.00	\$15.19	\$0.00	NA	NA
Ripper op. cost/hour:	NA	\$0.00	\$2.98	\$0.00	NA	NA
Operator cost/hour:	\$47.07	\$40.04	\$40.04	\$40.04	NA	NA
Unit Subtotals:	\$464.32	\$235.13	\$204.48	\$186.31	NA	NA
Number of Units:	4	1	1	1	0	0
Group Subtotals:	Work: \$2,092.41		Support: \$390.79		Maint:	\$0.00

Total work team cost/hour: **\$2,483.20****MATERIAL QUANTITIES**Initial volume: 354,093 CCY Swell factor: 1.135
Loose volume: **401,896** LCYSource of estimated volume: 10 ac backfilled 22 ft deep
Source of estimated swell factor: Cat Handbook**HOURLY PRODUCTION****Scraper Bowl (volume) Basis:**

Material weight:	2,700 lbs/LCY	Struck Volume:	24.00	LCY
Material description:	Sand and clay - Loose	Heaped Volume:	34.00	LCY
Rated Payload:	81,600 pounds	Average Volume:	29.00	LCY
Payload Capacity:	30.22 LCY	Adjusted Capacity:	29.00	LCY

Cycle Time:Scraper Loading Time: 1.00 MinutesManeuver and Spread Time: 0.60 MinutesJob Condition Correction:

Site Altitude: 4880 feet

	Scraper	Push Dozer	Source
Altitude Adj:	1.000	1.000	(CAT HB)
Job Efficiency:	0.830	0.830	(CAT HB)
Net Correction:	0.830	0.830	

Travel Time:Road Condition: Rutted dirt, little maintenance, no water, 2" tire penetration 5.0Haul Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	600.00	0.00	5.00	5.00	1867	0.46

Haul Time: 0.46 minutesReturn Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	600.00	0.00	5.00	5.00	2795	0.39

Return Time: 0.39 minutesTotal Scraper team cycle time: 2.45 minutesAdjusted for job conditions: 1,178.94 LCY/HourSelected Number of Scrapers: 2 Scraper(s)Adjusted single scraper team (unit) hourly production: 1,178.94 LCY/HourAdjusted multiple scraper team (fleet) hourly production: 2,357.88 LCY/HourUnadjusted unit production/hour: 1,420.41 LCY/Hour

Optimal Number of Scrapers per push dozer: _____

JOB TIME AND COSTFleet size: 2 Team(s)Total job time: 170.45 HoursUnit cost: \$1.053 /LCYTotal job cost: \$423,257

SCRAPER TEAM WORKTask description: Topsoil 20.5 ac of disturbanceSite: Debeque Sand and Gravel
ResourcePermit Action: 2021-08Permit/Job#: M2011054**PROJECT IDENTIFICATION**Task #: 03A
Date: 8/4/2021
User: ACYState: Colorado
County: MesaAbbreviation: None
Filename: M054-03aAgency or organization name: DRMS**HOURLY EQUIPMENT**COSTShift basis: 1 per day

	Equipment Description
-Scraper:	Cat 637G w/push-pull
-Dozer:	Cat D8T - 8SU
Support Equipment -Load Area:	Cat D8T - 8SU
-Dump Area:	Cat D8T - 8SU
Road Maintenance -Motor Grader:	NA
-Water Truck:	NA

Cost Breakdown:**Scraper Work Team****Support Equipment****Maintenance Equipment**

	Scraper	Dozer	Load Area	Dump Area	Motor Grader	Water Truck
%Utilization-machine:	100	100	50	50	NA	NA
Ownership cost/hour:	\$223.48	\$97.46	\$97.46	\$97.46	NA	NA
Operating cost/hour:	\$193.77	\$97.63	\$48.82	\$48.82	NA	NA
%Utilization-ripper:	NA	NA	30	NA	NA	NA
Ripper own. cost/hour:	NA	\$0.00	\$15.19	\$0.00	NA	NA
Ripper op. cost/hour:	NA	\$0.00	\$2.98	\$0.00	NA	NA
Operator cost/hour:	\$47.07	\$40.04	\$40.04	\$40.04	NA	NA
Unit Subtotals:	\$464.32	\$235.13	\$204.48	\$186.31	NA	NA
Number of Units:	4	1	1	1	0	0
Group Subtotals:	Work: \$2,092.41		Support: \$390.79		Maint:	\$0.00

Total work team cost/hour: \$2,483.20**MATERIAL QUANTITIES**Initial volume: 33,073 CCY Swell factor: 1.215
Loose volume: 40,184 LCYSource of estimated volume: 12" of topsoil over 20.5 acres
Source of estimated swell factor: Cat Handbook**HOURLY PRODUCTION****Scraper Bowl (volume) Basis:**

Material weight:	<u>1,600 lbs/LCY</u>	Struck Volume:	<u>24.00</u>	LCY
Material description:	<u>Top Soil</u>	Heaped Volume:	<u>34.00</u>	LCY
Rated Payload:	<u>81,600 pounds</u>	Average Volume:	<u>29.00</u>	LCY
Payload Capacity:	<u>51.00 LCY</u>	Adjusted Capacity:	<u>29.00</u>	LCY

Cycle Time:Scraper Loading Time: 1.00 MinutesManeuver and Spread Time: 0.60 MinutesJob Condition Correction:

Site Altitude: 4880 feet

	Scraper	Push Dozer	Source
Altitude Adj:	1.000	1.000	(CAT HB)
Job Efficiency:	0.830	0.830	(CAT HB)
Net Correction:	0.830	0.830	

Travel Time:Road Condition: Rutted dirt, little maintenance, no water, 2" tire penetration 5.0Haul Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	600.00	0.00	5.00	5.00	1867	0.42

Haul Time: 0.42 minutesReturn Route:

Seg #	Haul Distance (Ft)	Grade (%)	Roll. Res (%)	Total Res (%)	Velocity (fpm)	Travel Time (min)
1	600.00	0.00	5.00	5.00	2795	0.39

Return Time: 0.39 minutesTotal Scraper team cycle time: 2.41 minutesAdjusted for job conditions: 1,198.51 LCY/HourSelected Number of Scrapers: 2 Scraper(s)Adjusted single scraper team (unit) hourly production: 1,198.51 LCY/HourAdjusted multiple scraper team (fleet) hourly production: 2,397.01 LCY/HourUnadjusted unit production/hour: 1,443.98 LCY/Hour

Optimal Number of Scrapers per push dozer: _____

JOB TIME AND COSTFleet size: 2 Team(s)Total job time: 16.76 HoursUnit cost: \$1.036 /LCYTotal job cost: \$41,629

REVEGETATION WORKTask description: Reveg 20.5 acSite: Debeque Sand and Gravel
ResourcePermit Action: 2021-08Permit/Job#: M2011054**PROJECT IDENTIFICATION**Task #: 04A
Date: 8/4/2021
User: ACYState: Colorado
County: MesaAbbreviation: None
Filename: M054-04aAgency or organization name: DRMS**FERTILIZING****Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
8-24-24, 10-15-15, 10-20-20	200.00	pound	\$0.34	\$68.00
			Total Fertilizer Materials Cost/Acre	\$68.00

Application

Description	Cost /Acre
Tractor towed spreader (MEANS 32 01 90.13 0120)	\$38.77
Total Fertilizer Application Cost/Acre	\$38.77

TILLING

Description	Cost /Acre
Disc harrowing, 6" deep (MEANS 32 91 13.23 6100)	\$114.56
Total Tilling Cost/Acre	\$114.56

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Alkali Sacaton	0.30	11.71	\$8.54
Bottlebrush Squirreltail	0.90	3.97	\$14.60
Muttongrass	0.20	4.13	\$6.88
Western Wheatgrass - Arriba	3.20	8.08	\$20.80
Saltgrass, Inland	0.50	6.93	\$21.40
Bluebunch Wheatgrass - Goldar	2.40	7.71	\$11.04
Totals Seed Mix	7.50	42.53	\$83.27

Application

Description	Cost /Acre
Drill Seeding (DRMS Survey Cost)	\$232.00
Total Seed Application Cost/Acre	\$232.00

MULCHING and MISCELLANEOUS**Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Herbicide - 2,4D @ 1.0 pt/ac	2.00	ACRE	\$2.98	\$5.96
Herbicide - Curtail @ 4.0 pt/ac	2.00	ACRE	\$7.78	\$15.56
Herbicide - Glyphosate (Journey)@ 1.0 pt/ac	2.00	ACRE	\$4.52	\$9.04
Straw, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$307.02	\$614.04
Total Mulch Materials Cost/Acre				\$644.60

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$71.57
Power mulcher (MEANS 32 91 13.16 0350)	\$106.29
Weed spray, hand, aquatic area, nox. [DMG]	\$183.16
Weed spray, truck, non-aquatic area, nox. [DMG]	\$62.72
Total Mulch Application Cost/Acre	\$423.74

NURSERY STOCK PLANTING

Common Name	No / Acre	Type and Size	Planting Cost	Fertilizer Pellet Cost	Cost /Acre
					\$
Totals Nursery Stock Cost / Acre					\$0.00

JOB TIME AND COST

No. of Acres:	20.5	Cost /Acre:	\$1,604.94
Estimated Failure Rate:	40%	Cost /Acre*:	\$1,604.94
*Selected Replanting Work Items:	FERTILIZING,TILLING,SEEDING,MU LCHING		
Initial Job Cost:	\$32,901.27		
Reseeding Job Cost:	\$13,160.51		
Total Job Cost:	\$46,062		
Job Hours:	30.00		

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Initial mobilization of reclamation crew and equipment**Site: **Debeque Sand and Gravel**
ResourcePermit Action: 2021-08Permit/Job#: M2011054**PROJECT IDENTIFICATION**

Task #: 05A State: Colorado Abbreviation: None
 Date: 8/4/2021 County: Mesa Filename: M054-05a
 User: ACY

Agency or organization name: DRMS**EQUIPMENT TRANSPORT RIG COST**

Shift basis: 1 per day
 Cost Data Source: CRG Data

Truck Tractor Description: GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED, 400 HP (2ND HALF, 2006)Truck Trailer Description: GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT TRAILER (25T, 50T, AND 100T)**Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$21.28	\$37.94	\$47.67
Operating Cost/Hour:	\$26.55	\$50.48	\$56.21
Operator Cost/Hour:	\$20.54	\$20.54	\$20.54
Helper Cost/Hour:	\$0.00	\$23.53	\$23.53
Total Unit Cost/Hour:	\$68.37	\$132.49	\$147.95

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Submersible pump - 460v, 8 in.	0.70	\$14.98	\$68.37	1	\$83.35	\$68.37	\$250.00
Cat 637G w/push-pull	59.59	\$223.48	\$147.95	2	\$742.86	\$295.90	\$500.00
Cat D8T - 8SU	53.08	\$112.65	\$147.95	3	\$781.80	\$443.85	\$750.00
Drill/Broadcast Seeder with Tractor	25.00	\$7.98	\$68.37	1	\$76.35	\$68.37	\$250.00
Power Mulcher (Bowie LD-90)	6.00	\$14.98	\$68.37	1	\$83.35	\$68.37	\$250.00

Subtotals: **\$1,767.71** **\$944.86** **\$2,000.00****ROADABLE EQUIPMENT:**

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x4, 1 T. Crew	\$48.74	1	\$48.74	\$48.74

Subtotals: **\$48.74** **\$48.74**

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region:	GRAND JUNCTION, CO	
Total one-way travel distance:	20.00	miles
Average Travel Speed:	50.00	mph
Total Non-Roadable Mob/Demob Cost *	\$9,705.48	
'* two round trips with haul rig:		
Total Roadable Mob/Demob Cost **	\$38.99	
'** one round trip, no haul rig:		

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	0.40	0.40
Return Time (Hours):	0.40	0.40
Loading Time (Hours):	0.50	NA
Unloading Time (Hours):	0.50	NA
Subtotals:	1.80	0.80

JOB TIME AND COST

Total job time:	3.60	Hours
Total job cost:	\$9,744	

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: Secondary mobilization of reclamation crew and equipmentSite: Debeque Sand and Gravel
ResourcePermit Action: 2021-08Permit/Job#: M2011054**PROJECT IDENTIFICATION**

Task #: 05B State: Colorado Abbreviation: None
 Date: 8/4/2021 County: Mesa Filename: M054-05b
 User: ACY

Agency or organization name: DRMS**EQUIPMENT TRANSPORT RIG COST**

Shift basis: 1 per day
 Cost Data Source: CRG Data

Truck Tractor Description: GENERIC ON-HIGHWAY TRUCK TRACTOR, 6X4, DIESEL POWERED, 400 HP (2ND HALF, 2006)Truck Trailer Description: GENERIC FOLDING GOOSENECK, DROP DECK EQUIPMENT TRAILER (25T, 50T, AND 100T)**Cost Breakdown:**

Available Rig Capacities	0-25 Tons	26-50 Tons	51+ Tons
Ownership Cost/Hour:	\$21.28	\$37.94	\$47.67
Operating Cost/Hour:	\$26.55	\$50.48	\$56.21
Operator Cost/Hour:	\$20.54	\$20.54	\$20.54
Helper Cost/Hour:	\$0.00	\$23.53	\$23.53
Total Unit Cost/Hour:	\$68.37	\$132.49	\$147.95

NON ROADABLE EQUIPMENT:

Machine Description	Weight/ Unit (TONS)	Owner ship Cost/hr/ unit	Haul Rig Cost/hr/unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet	DOT Permit Cost/ fleet
Drill/Broadcast Seeder with Tractor	25.00	\$7.98	\$68.37	1	\$76.35	\$68.37	\$250.00
Power Mulcher (Bowie LD-90)	6.00	\$14.98	\$68.37	1	\$83.35	\$68.37	\$250.00
Subtotals:					\$159.70	\$136.74	\$500.00

ROADABLE EQUIPMENT:

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x4, 1 T. Crew	\$48.74	1	\$48.74	\$48.74
Subtotals:			\$48.74	\$48.74

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region:	GRAND JUNCTION, CO	
Total one-way travel distance:	20.00	miles
Average Travel Speed:	50.00	mph
Total Non-Roadable Mob/Demob Cost *	\$1,556.55	
'* two round trips with haul rig:		
Total Roadable Mob/Demob Cost **	\$38.99	
** one round trip, no haul rig:		

Transportation Cycle Time:

	Non- Roadable Equipment	Roadable Equipment
Haul Time (Hours):	0.40	0.40
Return Time (Hours):	0.40	0.40
Loading Time (Hours):	0.50	NA
Unloading Time (Hours):	0.50	NA
Subtotals:	1.80	0.80

JOB TIME AND COST

Total job time:	3.60	Hours
Total job cost:	\$1,596	

Reason to Believe a Violation Exists 10/19/2021



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

October 19, 2021

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies of Mesa County
2273 River Road
Grand Junction, CO 81502-3609

**Re: Reason to Believe a Violation Exists and Notice of Board Hearing;
Debeque Sand and Gravel Resource; Permit M-2011-054**

Mr. Burkey:

On August 4, 2021, the Division of Reclamation Mining and Safety (Division), issued a Surety Increase (SI-1) for the above mentioned pit. A financial warranty increase in the amount of \$156,000 for a total bond amount of \$704,245 to be submitted within sixty days (October 4, 2021). To date, the required additional financial warranty has not been submitted to the Division and we believe this is a violation of:

- C.R.S. 34-32.5-117(4)(c)(ii) a financial warrantor shall have sixty days after the date of notice of any adjustments to fulfill the new requirements.

Therefore, the Division has reason to believe that a violation exists to the Colorado Land Reclamation Act for the Extraction of Construction Materials, C.R.S. § 34-32.5-101 *et seq.*, and have scheduled this matter to appear before the Mined Land Reclamation Board (MLRB).

A Formal Public Hearing will be held during the December 16-17, 2021 Board Meeting for consideration of this possible violation. The hearing will be held at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on December 16 or as soon thereafter as the matter can be considered.

In order to be considered at the hearing, all exhibits, materials and witness testimony you wish for the Board to consider must be submitted via email to the MLRB Administrator, Camie Mojar at: Camille.mojar@state.co.us, no later than 5:00 PM, December 3, 2021.

Please note the meeting format is subject to change due to the impacts of COVID-19. You will be notified as soon as possible of any changes to the meeting format. If you have good cause not to appear in person you may submit a request to the MLRB to appear virtually via (ZOOM). To do so please submit an email to the MLRB Administrator, no later than 5:00 PM, December 10, 2021 for Board consideration. If approved you will receive an authorization code to attend the meeting for this matter. Please note that only Parties and those who will be testifying may attend by ZOOM. All other interested persons may attend the hearing via the MLRB YouTube Channel: <https://www.youtube.com/channel/UCDrrAO8bIPFIOWce-yH1fWA>

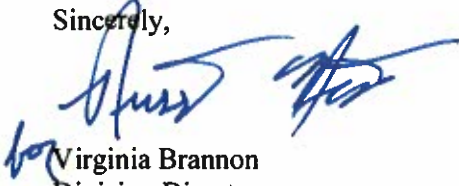


If the Board finds a violation at this hearing, it may issue a Cease and Desist Order and assess a Civil Penalty in the amount of \$100.00 to \$1,000.00 for each day of violation, pursuant to C.R.S. 34-32.5-124(7). Pursuant to C.R.S. 34-32.5-124(6)(a), the Board may suspend, modify, or revoke the permit. If you have evidence indicating that the possible violation noted above does not exist or has been corrected, please provide it to the Division as soon as possible or bring it to the hearing. Any information to be considered by the Board during the hearing must be received by the Division on or before December 9, 2021.

The Board's agenda may not be finalized until the week of the Board meeting. Therefore, we recommend you contact the Board's Administrator, Camille Mojar by telephone at (303) 866-3567, ext. 8136 or by email at Camille.Mojar@state.co.us on Monday, December 13, 2021 to confirm the specific date for the hearing.

If you have any questions about this letter or the hearing, please contact Amy Yeldell at (303) 866-3567, ext. 8183.

Sincerely,



Virginia Brannon
Division Director

CERTIFIED MAIL # 70182290000189235043

Return Receipt Requested

cc: Russ Means, DRMS
Travis Marshall, DRMS
Amy Yeldell, DRMS
Jeff Fugate, AGO

Notice of Virtual Hearing 11/10/2021



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

1313 Sherman Street, Room 215
Denver, CO 80203

November 10, 2021

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies o Mesa County
2273 River Road
Grand Junction, CO 81502-3069
Email address: jason.burkey@na.crh.com

Notice of Virtual or Hearing
Mined Land Reclamation Board Hearing December 14, 2021

The Mined Land Reclamation Board's December 14, 2021 meeting will be held VIRTUALLY in accordance with guidance from Governor Jared Polis related to COVID-19.

Due to the impacts of the COVID-19 virus on availability of State facilities and Division resources, notice is hereby given that your matter noticed for the December 14, 2021 Mined Land Reclamation Board hearing will be heard via ZOOM video conference. The meeting will start promptly at 9:00 AM on December 14, 2021. Meeting links and all pertinent information will be provided to you prior to the hearing.

Please note: In order to access and participate in the hearing you must provide a valid e-mail address to Camie Mojar at: 303.866.3567, ext 8136 or camille.mojar@state.co.us. Additionally, if you plan to submit documents or other materials to the Board at the hearing they must be provided to Ms. Mojar by close of business December 10, 2021.

The Board and the Division appreciate your patience during this time. If further changes to the MLRB schedule are necessary you will be contacted. If you have any questions please call or e-mail Camille Mojar at: 303.866.3567, Ext 8136 or camille.mojar@state.co.us

Sincerely,

Amy C Yeldell
Environmental Protection Specialist
Division of Reclamation, Mining and Safety



M-2011-054
Notice of Virtual Hearing
November 10, 2021

Cc: Russ Means, Active Mines Program Director, Minerals
Travis Marshall, Senior Environmental Protection Specialist
Jeff Fugate, DRMS AGO

Ec: Jason Burkey, Oldcastle SW Group, Inc. dba United Companies o Mesa County

Revised-Notice of Virtual Hearing 11/29/2021

1313 Sherman Street, Room 215
Denver, CO 80203

November 29, 2021

Jason Burkey
Oldcastle SW Group, Inc. dba United Companies o Mesa County
2273 River Road
Grand Junction, CO 81502-3069
Email address: jason.burkey@na.crh.com

REVISED-Notice of Virtual or Hearing
Mined Land Reclamation Board Hearing December 15, 2021

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Sincerely,



Amy C Yeldell
Environmental Protection Specialist
Division of Reclamation, Mining and Safety



M-2011-054
Notice of Virtual Hearing
November 29, 2021

Cc: Russ Means, Active Mines Program Director, Minerals
Travis Marshall, Senior Environmental Protection Specialist
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Ec: Jason Burkey, Oldcastle SW Group, Inc. dba United Companies o Mesa County