



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-2006-084,
White River City Pit**

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. 25, 2021 |
| 2. Notice of Surety Increase (SI-2) | Jul. 13, 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 5/25/2021



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: White River City Pit	MINE/PROSPECTING ID#: M-2006-084	MINERAL: Gravel and sand	COUNTY: Rio Blanco
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Yeldell	INSP. DATE: May 25, 2021	INSP. TIME: 13:00
OPERATOR: Oldcastle SW Group, Inc. dba United Con	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: \$447,245.79	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: DRMS	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: June 8, 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>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>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>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</u>	(OD) OFF-SITE DAMAGE----- <u>NA</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 normal monitoring program. The White River City Pit is a 112c permitted site located approximately 16 miles west of Meeker, Colorado in Rio Blanco County. The permitted area is 92.74 acres. At this time it's estimated that approximately 67.1 acres are affected by mining. Amy Yeldell of the Division conducted the inspection. Jason Burkey and Tyra Bartuska represented Oldcastle and accompanied me on the inspection.

The mine identification sign was observed at the main entrance to the site on the locked access gate. The permit boundary was delineated by t-posts. Both the mine identification sign and permit boundary markers are in place and in compliance with Rule 3.1.12.

The site was active at the time of the inspection. The crusher was operational. Trucks were observed hauling material off site. A scale and scale house is located near the permit entrance. Fuel is on site in a mobile tank with secondary containment.

The wetland areas in the bottom of the pit appear to be properly avoided. Several undisturbed patches were evident. The settling pond is located in the middle of the pit along the east side.

Mining is taking place in the northeast corner of the pit. The active highwall is approximately 20 feet high. There are two extremely large stockpiles in the bottom of the pit adjacent to the crusher. A ramp is needed to continue stockpiling as a conveyor is not tall enough. Along the south side of the pit is a mine bench where material was previous stockpiled. The bench is approximately 15 feet above the rest of the pit floor.

Overall the site appeared to be stable and in good condition. No signs of erosion were observed. The site appeared to be weed free. No problems or violations were cited in this report.

The Division currently requires a financial warranty amount of \$447,245.79 for this site. The bond was last recalculated with SI-1 in 2014. 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

CC:
Travis Marshall, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS









Photo Seven: Settling pond



Photo Eight: Crushing operation



Notice of Surety Increase (SI-2)

7/13/2021



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

1313 Sherman St. Room 215
Denver, CO 80203

July 13, 2021

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

Re: White River City Pit, Permit No. M-2006-084, Financial Warranty Increase, Revision No. SI-2

Dear Mr. Burkey:

On July 13, 2021 the Division of Reclamation, Mining and Safety increased the current Financial Warranty for this permit to \$539,225.00, in accordance with Rule 4.2.1 of the Rules and Regulations. This is an increase of \$91,979.21.

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

If you have any questions, please contact me.

Sincerely,

Amy C. Yeldell
Environmental Protection Specialist

Enclosures: Reclamation Cost Estimate

cc: Sara M. Stevenson-Benn, DRMS
Jeff Thompson, DRMS

M-FW-14



COST SUMMARY WORK

Task description: _____

Site: White River City Pit

Permit Action: 2021

Permit/Job#: M2006084

PROJECT IDENTIFICATION

Task #: ACY

State: Colorado

Abbreviation: None

Date: 7/13/2021

County: Rio Blanco

Filename: M084-ACY

User: ACY

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
01a	Dewatering of pit	PUMPING	1	808.31	\$38,508
02a	Construction of wetland shelf in Phase 3	DOZER	4	281.45	\$266,128
02b	Grading of pit slopes from 2H:1V to 3H:1V	DOZER	4	6.83	\$6,457
03a	Rip compacted areas prior to topsoiling	RIPPER	4	8.59	\$8,987
04a	Spread topsoil on wetland shelf	DOZER	4	22.94	\$21,688
05a	Revegetate 11.8 acres with dry land seed mix	REVEGE	1	16.00	\$19,855
06a	Revegetate 11.4 acres with riparian seed mix	REVEGE	1	16.00	\$30,815
07a	Initial Mobilization	MOBILIZE	1	6.00	\$10,177
07b	Initial Mobilization	MOBILIZE	1	6.00	\$3,552
<u>SUBTOTALS:</u>				1172.12	\$406,167

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance:	2.02	Total =	\$8,205
Performance bond:	1.05	Total =	\$4,265
Job superintendent:	586.06	Total =	\$42,214
Profit:	10.00	Total =	\$40,617

TOTAL O & P = \$95,300

CONTRACT AMOUNT (direct + O & P) = \$501,467

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs):	<u>\$500</u>	Total =	<u>\$500</u>
Engineering work and/or contract/bid preparation:	<u>0.00</u>	Total =	<u>\$0</u>
Reclamation management and/or administration:	<u>5.00</u>		<u>\$25,073</u>

CONTINGENCY: 3.00 Total = \$12,185

TOTAL INDIRECT COST = \$133,058

TOTAL BOND AMOUNT (direct + indirect) = \$539,225

PUMPING WORK

Task description: Dewatering of pit

Site: White River City Pit

Permit Action: 2021

Permit/Job#: M2006084

PROJECT IDENTIFICATION

Task #: 01A
Date: 7/13/2021
User: ACY

State: Colorado
County: Rio Blanco

Abbreviation: None
Filename: M084-01a

Agency or organization name: DRMS

HOURLY EQUIPMENT COST

	Description	Quantity
Make and Model:	Submersible pump - 460v, 6 in.	1
Attachment 1:	Suction hose - 6 in. diam., 25 ft.	1
Attachment 2:	Discharge hose - 6 in. D., 25 ft.	3
Labor Unit 1:	Pump operator (same as 1st)	1
Horsepower:	<u>60</u>	
Shift Basis:	<u>1 per day</u>	
Weight:	<u>0.45</u>	
	(US Tons)	

Cost Breakdown:

		Utilization %
Ownership Cost/Hour:	<u>\$15.55</u>	<u>NA</u>
Operating Cost/Hour:	<u>\$4.41</u>	<u>100</u>
Operator Cost/Hour:	<u>\$27.68</u>	<u>NA</u>
Total Unit Cost/Hour:	<u>\$47.64</u>	
Total Fleet Cost/Hour:	<u>\$47.64</u>	

PUMPING QUANTITIES

Initial Pond Volume:	<u>354.70</u>		Conversion factor:	<u>325850.5800</u>
Final Pond Volume:	<u>115,579,200.73</u>	gallons		
Total Pond Inflow Surface Area:	<u>1,000</u>	Sq. ft.	Unit inflow rate in gph/sq. ft.:	<u>0.0879</u>
Total Pond Inflow Volume per Hour:	<u>87.90</u>	gallons		

Source of estimated volume: Previously excepted values

PUMPING TIME

Maximum Pump Capacity:	<u>130,000</u>	gph/pump
Estimated Suction Head:	<u>15</u>	feet
Estimated Discharge Head:	<u>10</u>	feet
Total Head:	<u>25</u>	feet
CPB Pump Capacity:	<u>123,300</u>	gph/pump
Site Altitude:	<u>5,700</u>	feet
Adjusted Pumping Capacity:	<u>123,300</u>	gph
Initial Unadjusted Pumping Time:	<u>937.38</u>	hours
Inflow during Initial Pumping:	<u>82,396</u>	gallons
Net Unadjusted Pumping Time:	<u>938.05</u>	Hours
Altitude Adjustment Factor:	<u>1.0000</u>	(3% rule)
Pump Efficiency Factor:	<u>0.9167</u>	(55 min./hr.)
Total Adjusted Pumping Time:	<u>859.91</u>	hours

JOB TIME AND COST

Total job time: 859.91 Hours

Unit cost: \$0.000354 /Gallon

Total job cost: \$40,966

BULLDOZER WORKTask description: **Construction of wetland shelf in Phase 3**Site: **White River City Pit** Permit Action: **2021** Permit/Job#: **M2006084****PROJECT IDENTIFICATION**

Task #: **02A** State: **Colorado** Abbreviation: **None**
 Date: **7/13/2021** County: **Rio Blanco** Filename: **M084-02a**
 User: **ACY**

Agency or organization name: **DRMS****HOURLY EQUIPMENT COST**

Basic Machine: **Cat D8T - 8SU**
 Horsepower: **310**
 Blade Type: **Semi-Universal**
 Attachment: **NA**
 Shift Basis: **1 per day**
 Data Source: **(CRG)**

Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	\$97.46	NA
Operating Cost/Hour:	\$97.63	100
Ripper own. Cost/Hour:	\$0.00	NA
Ripper op. Cost/Hour:	\$0.00	0
Operator Cost/Hour:	\$41.30	NA

Total unit Cost/Hour: **\$236.39**
 Total Fleet Cost/Hour: **\$945.57**

MATERIAL QUANTITIES

Initial Volume: **229,931**
 Swell factor: **1.000**
 Loose volume: **229,931 LCY**

Source of estimated volume: **Table L-1**
 Source of estimated swell factor: **Cat Handbook**

HOURLY PRODUCTION

Average push distance: **250 feet**
 Unadjusted hourly production: **377.8 LCY/hr**

Materials consistency description: **Partly consolidated stockpile 1.1**

Average push gradient: **-5 %**
 Average site altitude: **5,700 feet**

Material weight: **2,600 lbs/LCY**Weight description: **Clay and gravel - Wet****Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	0.750	(AVG.)
Material consistency:	1.100	(CAT HB)
Dozing method:	1.000	(GEN.)
Visibility:	1.000	(AVG.)

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.115	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.885	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.5406

Adjusted unit production: 204.24 LCY/hr

Adjusted fleet production: **816.96 LCY/hr**

JOB TIME AND COST

Fleet size: 4 Dozer(s)

Unit cost: \$1.157/LCY

Total job time: **281.45 Hours**

Total job cost: **\$266,128**

BULLDOZER WORKTask description: Grading of pit slopes from 2H:1V to 3H:1VSite: White River City Pit Permit Action: 2021 Permit/Job#: M2006084**PROJECT IDENTIFICATION**

Task #: 02B State: Colorado Abbreviation: None
 Date: 7/13/2021 County: Rio Blanco Filename: M084-02b
 User: ACY

Agency or organization name: DRMS**HOURLY EQUIPMENT COST**

Basic Machine: Cat D8T - 8SU
 Horsepower: 310
 Blade Type: Semi-Universal
 Attachment: NA
 Shift Basis: 1 per day
 Data Source: (CRG)

Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	<u>\$97.46</u>	<u>NA</u>
Operating Cost/Hour:	<u>\$97.63</u>	<u>100</u>
Ripper own. Cost/Hour:	<u>\$0.00</u>	<u>NA</u>
Ripper op. Cost/Hour:	<u>\$0.00</u>	<u>0</u>
Operator Cost/Hour:	<u>\$41.30</u>	<u>NA</u>

Total unit Cost/Hour: \$236.39
 Total Fleet Cost/Hour: \$945.57

MATERIAL QUANTITIES

Initial Volume: 8,454
 Swell factor: 1.090
 Loose volume: 9,215 LCY

Source of estimated volume: Table L-1
 Source of estimated swell factor: Cat Handbook

HOURLY PRODUCTION

Average push distance: 150 feet
 Unadjusted hourly production: 634.3 LCY/hr

Materials consistency description: Consolidated stockpile 1.0

Average push gradient: -5 %
 Average site altitude: 5,700 feet

Material weight: 2,400 lbs/LCYWeight description: Clay and gravel - Dry**Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	<u>0.750</u>	<u>(AVG.)</u>
Material consistency:	<u>1.000</u>	<u>(CAT HB)</u>
Dozing method:	<u>1.000</u>	<u>(GEN.)</u>
Visibility:	<u>1.000</u>	<u>(AVG.)</u>

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.115	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.958	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.5319

Adjusted unit production: 337.38 LCY/hr

Adjusted fleet production: **1349.52** LCY/hr

JOB TIME AND COST

Fleet size: 4 Dozer(s)

Unit cost: \$0.701/LCY

Total job time: **6.83** Hours

Total job cost: **\$6,457**

BULLDOZER RIPPING WORK

Task description: Rip compacted areas prior to topsoiling

Site: White River City Pit Permit Action: 2021 Permit/Job#: M2006084

PROJECT IDENTIFICATION

Task #: 03A State: Colorado Abbreviation: None
Date: 7/13/2021 County: Rio Blanco Filename: M084-03a
User: ACY

Agency or organization name: DRMS

HOURLY EQUIPMENT COST

Basic Machine: Cat D8T - 8SU Horsepower: 310
Ripper Attachment: 3-Shank Ripper Shift Basis: 1 per day
Data Source: (CRG)

Cost Breakdown:

		Utilization %
Ownership Cost/Hour:	\$97.46	NA
Operating Cost/Hour:	\$97.63	100
Ripper Ownership Cost/Hour:	\$15.19	NA
Ripper Operating Cost/Hour:	\$9.94	100
Operator Cost/Hour:	\$41.30	NA
Total Unit Cost/Hour:	\$261.52	
Total Fleet Cost/Hour:	\$1,046.09	

MATERIAL QUANTITIES

Selected estimating method: Area

Alternate Methods:

Seismic: NA Bank Volume: NA BCY NA
Area: 23.20 acres Rip Depth (ft): 2.00 Volume: 74,859 BCY or CCY

Source of estimated quantity: Table L-1

HOURLY PRODUCTION

Seismic:

Seismic Velocity: NA feet/second

Area:

Average Ripping Depth: 2.56 feet/pass
Average Ripping Width: 7.08 feet/pass
Average Ripping Length: 400.00 feet/pass
Average Dozer Speed: 88.00 feet/minute
Average Maneuver Time: 0.25 minutes/pass
Production per unit area: 0.813 acres/hour

Job Condition Correction Factors

Unadjusted Hourly Unit Production: 0.813 Acres/hr
Site Altitude: 5,700 feet
Altitude Adj: 1.00 (CAT HB)
Job Efficiency: 0.83 (1 shift/day)
Net Correction: 0.83 multiplier

Adjusted Hourly Unit Production: 0.68 Acres/hr
Adjusted Hourly Fleet Production: **2.70** Acres/hr

JOB TIME AND COST

Fleet size: 4 Grader(s) Total job time: **8.59** Hours

Unit cost: \$387.347 Per acre Total job cost: **\$8,987**

BULLDOZER WORKTask description: Spread topsoil on wetland shelfSite: White River City PitPermit Action: 2021Permit/Job#: M2006084**PROJECT IDENTIFICATION**Task #: 04AState: ColoradoAbbreviation: NoneDate: 7/13/2021County: Rio BlancoFilename: M084-04aUser: ACYAgency or organization name: DRMS**HOURLY EQUIPMENT COST**Basic Machine: Cat D8T - 8SUHorsepower: 310Blade Type: Semi-UniversalAttachment: NAShift Basis: 1 per dayData Source: (CRG)**Cost Breakdown:**

		<u>Utilization %</u>
Ownership Cost/Hour:	\$97.46	NA
Operating Cost/Hour:	\$97.63	100
Ripper own. Cost/Hour:	\$0.00	NA
Ripper op. Cost/Hour:	\$0.00	0
Operator Cost/Hour:	\$41.30	NA

Total unit Cost/Hour: \$236.39Total Fleet Cost/Hour: \$945.57**MATERIAL QUANTITIES**Initial Volume: 18,392Swell factor: 1.000Loose volume: 18,392 LCYSource of estimated volume: Table L-1Source of estimated swell factor: Cat Handbook**HOURLY PRODUCTION**Average push distance: 350 feetUnadjusted hourly production: 233.3 LCY/hrMaterials consistency description: Loose stockpile 1.2Average push gradient: 0 %Average site altitude: 5,700 feetMaterial weight: 1,600 lbs/LCYWeight description: Top Soil**Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	0.750	(AVG.)
Material consistency:	1.200	(CAT HB)
Dozing method:	1.000	(GEN.)
Visibility:	1.000	(AVG.)

Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.000	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	1.438	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.8593

Adjusted unit production: 200.47 LCY/hr

Adjusted fleet production: **801.88** LCY/hr

JOB TIME AND COST

Fleet size: 4 Dozer(s)

Unit cost: \$1.179/LCY

Total job time: **22.94** Hours

Total job cost: **\$21,688**

REVEGETATION WORKTask description: Revegetate 11.8 acres with dry land seed mixSite: White River City PitPermit Action: 2021Permit/Job#: M2006084**PROJECT IDENTIFICATION**Task #: 05AState: ColoradoAbbreviation: NoneDate: 7/13/2021County: Rio BlancoFilename: M084-05aUser: ACYAgency or organization name: DRMS**FERTILIZING****Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
			\$	\$
			Total Fertilizer Materials Cost/Acre	\$0.00

Application

Description	Cost /Acre
	\$
Total Fertilizer Application Cost/Acre	\$0.00

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	0.50	19.51	\$14.24
Crested Wheatgrass - Fairway	1.50	6.89	\$6.04
Yellow Sweet Clover - Madrid	1.50	8.95	\$4.24
Galleta	3.00	10.95	\$67.05
Streambank Wheatgrass - Sodar	3.00	9.78	\$17.10
Thickspike Wheatgrass - Critana	3.00	10.61	\$20.63
Rabbitbrush, Rubber	0.25	3.72	\$16.07
Saltbush, Four Wing	0.25	0.34	\$3.13
Sumac, Smooth	0.25	0.28	\$7.38

Totals Seed Mix	13.25	71.04	\$155.86
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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	1.00	ACRE	\$2.98	\$2.98
Straw, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$307.02	\$614.04
Total Mulch Materials Cost/Acre				\$617.02

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$71.57
Power mulcher (MEANS 32 91 13.16 0350)	\$106.29
Weed spray, truck, non-aquatic area, nox. [DMG]	\$62.72
Total Mulch Application Cost/Acre	\$240.58

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: 11.8 Cost /Acre: \$1,360.02
 Estimated Failure Rate: 30% Cost /Acre*: \$1,360.02
 *Selected Replanting Work Items: TILLING,SEEDING,MULCHING

Initial Job Cost: **\$16,048.24**
 Reseeding Job Cost: **\$4,814.47**
 Total Job Cost: **\$20,863**
 Job Hours: **16.00**

REVEGETATION WORKTask description: Revegetate 11.4 acres with riparian seed mixSite: White River City PitPermit Action: 2021Permit/Job#: M2006084**PROJECT IDENTIFICATION**Task #: 06AState: ColoradoAbbreviation: NoneDate: 7/13/2021County: Rio BlancoFilename: M084-06aUser: ACYAgency or organization name: DRMS**FERTILIZING****Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
			\$	\$
			Total Fertilizer Materials Cost/Acre	\$0.00

Application

Description	Cost /Acre
	\$
Total Fertilizer Application Cost/Acre	\$0.00

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	2.00	78.05	\$56.95
Aquatic Sedge	2.00	52.90	\$350.00
Great Basin Wildrye - Magnar	3.00	12.19	\$34.65
Slender Wheatgrass - Native	6.00	21.90	\$27.75
Slender Wheatgrass - Pryor	6.00	21.90	\$25.50
Red Top	2.00	229.11	\$15.75
Reedgrass, Canadian (or Blue Joint)	1.00	102.85	\$203.25
Reedgrass, Northern - Native	1.00	102.85	\$136.65
Saltgrass, Inland	2.00	27.72	\$85.60
Timothy, Alpine - Native	2.00	59.69	\$48.50

Totals Seed Mix	27.00	709.16	\$984.60
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Application

Description	Cost /Acre
Hydro seeding (MEANS 32 92 19.14 0200)	\$965.73
Total Seed Application Cost/Acre	\$965.73

MULCHING and MISCELLANEOUS**Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
Herbicide - Glyphosate (Journey)@ 1.0 pt/ac	1.00	ACRE	\$4.52	\$4.52
Total Mulch Materials Cost/Acre				\$4.52

Application

Description	Cost /Acre
Weed spray, hand, aquatic area, nox. [DMG]	\$183.16
Total Mulch Application Cost/Acre	\$183.16

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: 11.4 Cost /Acre: \$2,252.57
 Estimated Failure Rate: 20% Cost /Acre*: \$2,252.57
 *Selected Replanting Work Items: TILLING,SEEDING,MULCHING

Initial Job Cost: **\$25,679.30**
 Reseeding Job Cost: **\$5,135.86**
 Total Job Cost: **\$30,815**
 Job Hours: **16.00**

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Initial Mobilization**Site: **White River City Pit**Permit Action: **2021**Permit/Job#: **M2006084****PROJECT IDENTIFICATION**Task #: **07A**State: **Colorado**Abbreviation: **None**Date: **7/13/2021**County: **Rio Blanco**Filename: **M084-07a**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
Cat D7R DS Series II LGP	38.49	\$90.34	\$132.49	4	\$891.32	\$529.96	\$1,000.00
Drill/Broadcast Seeder with Tractor	25.00	\$7.98	\$68.37	1	\$76.35	\$68.37	\$250.00
Hydroseeder with Tractor	28.00	\$13.97	\$132.49	1	\$146.46	\$132.49	\$250.00
Power Mulcher (Bowie LD-90)	6.00	\$14.98	\$68.37	1	\$83.35	\$68.37	\$250.00

Subtotals: **\$1,197.48** **\$799.19** **\$1,750.00****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	\$48.19	3	\$144.57	\$144.57

Subtotals: **\$144.57** **\$144.57**

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region: RIFLE, CO
 Total one-way travel distance: 50.00 miles
 Average Travel Speed: 50.00 mph

Total Non-Roadable Mob/Demob Cost * \$9,888.30
 ** two round trips with haul rig:
 Total Roadable Mob/Demob Cost ** \$289.14
 ** one round trip, no haul rig:

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	1.00	1.00
Return Time (Hours):	1.00	1.00
Loading Time (Hours):	0.50	NA
Unloading Time (Hours):	0.50	NA
Subtotals:	3.00	2.00

JOB TIME AND COST

Total job time: 6.00 Hours

Total job cost: \$10,177

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Initial Mobilization**Site: **White River City Pit**Permit Action: **2021**Permit/Job#: **M2006084****PROJECT IDENTIFICATION**Task #: **07B**State: **Colorado**Abbreviation: **None**Date: **7/13/2021**County: **Rio Blanco**Filename: **M084-07b**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
Hydroseeder with Tractor	28.00	\$13.97	\$132.49	1	\$146.46	\$132.49	\$250.00
Power Mulcher (Bowie LD-90)	6.00	\$14.98	\$68.37	1	\$83.35	\$68.37	\$250.00
Subtotals:					\$306.16	\$269.23	\$750.00

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	\$48.19	3	\$144.57	\$144.57
Subtotals:			\$144.57	\$144.57

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region: RIFLE, CO
 Total one-way travel distance: 50.00 miles
 Average Travel Speed: 50.00 mph

Total Non-Roadable Mob/Demob Cost * \$3,263.10
 * two round trips with haul rig:
 Total Roadable Mob/Demob Cost ** \$289.14
 ** one round trip, no haul rig:

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	1.00	1.00
Return Time (Hours):	1.00	1.00
Loading Time (Hours):	0.50	NA
Unloading Time (Hours):	0.50	NA
Subtotals:	3.00	2.00

JOB TIME AND COST

Total job time: 6.00 Hours

Total job cost: \$3,552



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

1313 Sherman Street, Room 215
Denver, CO 80203

July 13, 2021

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

RE: White River City Pit, Permit No. M-2006-084, Reclamation Cost Estimate SI-2

Dear Mr. Burkey:

This reclamation cost update was in response to the site inspection conducted on May 25, 2021. There have been no surety increases since SI-1 in 2014. It is Division policy to periodically update its costs to ensure that the Financial Warranty adequately, reflects the actual current cost of fulfilling the requirements of the approved reclamation plan.

Below is a table summarizing input values that have been updated since the SI-4 calculation. This table does not account for price changes resulting from inflation or other RS Means cost changes. It is noted that over the past few years the Division has had several significant cost changes that needed to be accounted for resulting in increased cost.

Task	Form Used	Change	Description
01a	Pumping	-	Selected a more efficient pump from available options
02a	Dozer	N/A	No change
02b	Dozer	N/A	No changes
03a	Ripper	N/A	No changes
04	Dozer	N/A	No changes
05a	Reveg	+	Add weed spraying
06a	Reveg	-	Removed Mulching per Rec Plan



			Add weed spraying
07a	Mob	+	Mileage from Rifle rather than Meeker, more accurate
07b	Mob	+	Added secondary mobilization for reclamation failure
Indirect Costs		No changes	

Please feel free to contact me with any further questions. 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

Sincerely,



Amy Yeldell
Environmental Protection Specialist

Ec:
Travis Marshall, Senior EPS, Grand Junction DRMS

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;
White River City Pit; Permit M-2006-084**

Mr. Burkey:

On July 13, 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 \$91,979.21 for a total bond amount of \$539,225.00 to be submitted within sixty days (September 13, 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>

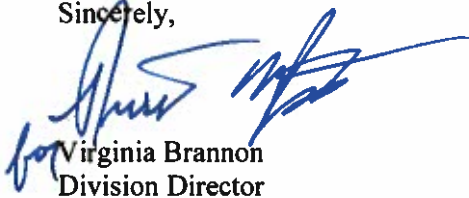


If the Board finds a violation at this hearing, it may issue a Cease and Desist Order and assess a Civil Penalty in the amount of \$100.00 to \$1,000.00 for each day of violation, pursuant to C.R.S. 34-32.5-124(7). Pursuant to C.R.S. 34-32.5-124(6)(a), the Board may suspend, modify, or revoke the permit. 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

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-2006-084
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



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

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

The Mined Land Reclamation Board's December 15, 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 15, 2021 Mined Land Reclamation Board hearing will be heard via ZOOM video conference. The meeting will start promptly at 9:00 AM on December 15, 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-2006-084
Notice of Virtual Hearing
November 29, 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 of Mesa County