




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: Barnhart Pit	MINE/PROSPECTING ID#: M-1984-008	MINERAL: Sand and gravel	COUNTY: Pueblo
INSPECTION TYPE: Monitoring	INSPECTOR(S): Patrick Lennberg	INSP. DATE: May 18, 2022	INSP. TIME: 11:30
OPERATOR: Continental Materials Corporation	OPERATOR REPRESENTATIVE: Jerry Schnabel and Dan Tucker	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$69,470.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: May 24, 2022

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: Right of Entry

PROBLEM: Failure to maintain legal right of entry per Rule 6.3.7.

CORRECTIVE ACTIONS: The permittee/operator must provide proof of legal right to enter and conduct mining and reclamation operations.

CORRECTIVE ACTION DUE DATE: 7/23/22

OBSERVATIONS

The Barnhart Pit was inspected by Patrick Lennberg with the Division of Reclamation, Mining, and Safety (Division/DRMS). The inspection was completed as part of the Division's routine monitoring inspection program. The site was previously inspected by the Division on November 28, 2018 as part of the Division's routine monitoring program. Jerry Schnabel and Dan Tucker representing the operator and land owner respectively were present during the inspection. The weather was clear.

The site is a 112c Construction Materials permit for 67.8 acres with 55.5 acres affected for the mining of sand and gravel. The mine is located on property owned by Colorado Water Protective and Development Association (CWPDA) which purchased the property in 2021. During permit review it was determined the permittee did not have current documentation of the legal right to enter to conduct mining and reclamation pursuant to Rule 6.4.14. Not having current documentation for the legal right of entry has been cited as problem in this report. The mine is located in Pueblo County. The main site entrance is located one mile southeast of Pueblo, CO off of Townsend Dr. The approved post-mining land use is general agriculture.

The site was not active at the time of inspection. Currently, only about 26 acres have been affected by mining and consists of two ponds, approximately 11 acres in size, and a few stockpiles from the original dredging operations. The site exited its first 5-year period of Temporary Cessation in August 2019 and entered into final reclamation. The site was initially mined by Fountain Sand, owned by CF&I Steel in the 1970s. It was then sold to Valco in 1984. No mining has occurred since the sale to Valco. The permit for the site was originally a 110 but was converted to a 112 in 1984. A succession of operators occurred in 1997 when the site was passed from Valco to Transit Mix of Pueblo Inc. and again in 2003 when it was passed from Transit Mix to Continental Material Corporation. There are four monitoring wells at the site that are used measure water levels as part of the Pueblo East (M1986-015) monitoring program. The ponds were determined to be in existence pre-1981 and are covered by well permit number 78077-F.

A few Russian olive and tamarisk trees were noted during the inspection but the area is acting as a sink compared to land outside the permit area. The operator is encouraged to maintain the aggressive weed management schedule at the site that was agreed upon in TR-1.

There are a few stockpiles of remaining material from the original mining operation. These piles are located to the west and southwest of the south pond. The piles are near the angle of repose but are not overly eroded and have sparse vegetation growing on them. Further to the southwest of the permit boundary there are numerous debris piles that appear to be related to the adjacent sewage treatment plant. The debris piles are on property owned by the City of Pueblo but it appears some may have spilled into the permit area.

In the previous inspection it was noted there were areas along the ponds where the banks were near vertical. The operator has since that time reworked the banks in those areas to a 3H:1V slope. The remaining pond banks appear to be at 3H:1V slope, per the requirements of Rule 3.1.5(7), with slopes 3H:1V 5 feet above and 10 feet below the expected waterline.

During the inspection it was discussed what remained to be done at the site to achieve permit release. The main item is grading of the stockpiles that are within the permit boundary to a 3H:1V slope or shallower. Once the operator and landowner agree on how the piles will be graded out and what the final configuration of the

site will be then a Technical Revision (TR) may be submitted. The TR will be to update the Reclamation Plan and Map to match the final agreed upon configuration of the site.

The Division evaluated the financial warranty and determined the current bond amount held by the Division is adequate at this time.

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg (303)866-3567 ext. 8114 or email at patrick.lennberg@state.co.us if you have any questions regarding this report.

Inspection Contact Address

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PHOTOGRAPHS



Photo 1: Concrete and miscellaneous debris piles, piles in foreground within permit boundary



Photo 2: Dredge material spoils pile immediately west of the southern pond



Photo 3: Spoil pile south of the south pond right of picture



Photo 4: South Pond Area looking east



Photo 5: Looking south from the dredge pile, City of Pueblo Sewer Treatment Plant



Photo 6: Looking north from the dredge pile



Photo 7: Looking northeast from dredge pile, northern portion of southern pond and southern tip of north pond



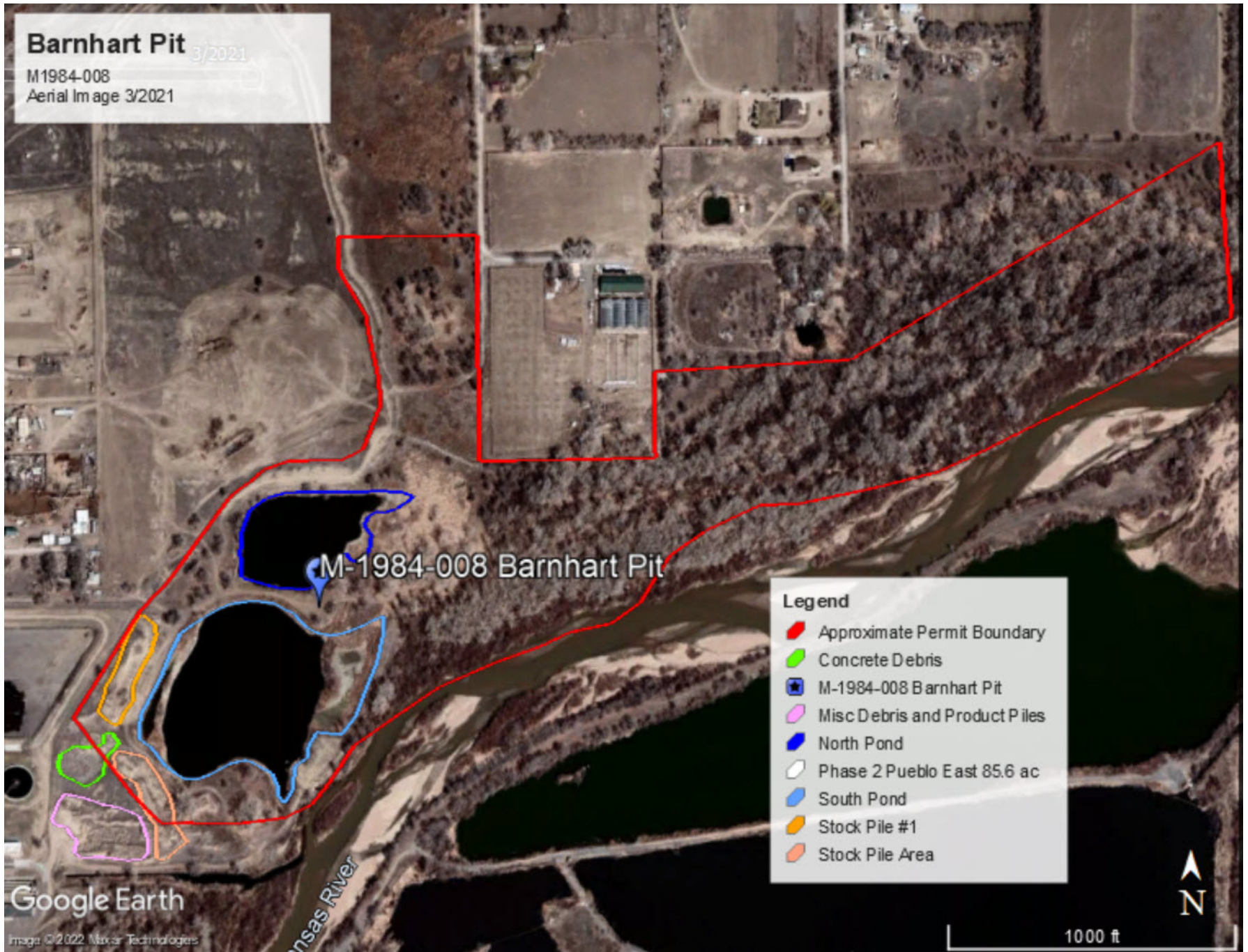
Photo 8: Looking north along the northern pond, recently graded area in foreground



Photo 9: Looking east along the northern pond



Photo 10: Looking south across the northern pond



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>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</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>N</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>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