



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

June 8, 2022

Andy Azcarraga
M.A. Concrete Construction, Inc.
2323 River Road
Grand Junction, CO 81505

RE: 20 Road Gravel Pit, Permit No. M-2005-061, Unresolved Problem(s) Noted in a Past Inspection Report

Dear Mr. Azcarraga:

According to records kept by the Division of Reclamation, Mining and Safety, some problem(s) noted in a past mine site inspection report have not been corrected. If the problem(s) have already been corrected, documentation of the corrective actions taken to correct the problem(s) must be submitted to our office.

Please see the enclosed inspection report for the above noted mine site, issued as a result of a past inspection of this site. Problems noted in this report that remain unresolved according to our records, have been highlighted.

To avoid potential future enforcement actions for non-compliance with State Statutes, Rules and Regulations, and/or conditions specified in your permit for this site, you must submit compliance documentation with the corrective actions by **Friday, July 01, 2022**.

If you require additional information, or have questions or concerns, please feel free to contact me.

Sincerely,

Amy Yeldell
Environmental Protection Specialist

Enclosures: DRMS Inspection Report from November 10, 2021

EC: Senior EPS, Senior EPS, DRMS






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: 20 Road Gravel Pit	MINE/PROSPECTING ID#: M-2005-061	MINERAL: Sand and gravel	COUNTY: Mesa
INSPECTION TYPE: Monitoring	INSPECTOR(S): Amy Yeldell	INSP. DATE: November 10, 2021	INSP. TIME: 14:00
OPERATOR: M.A. Concrete Construction, Inc.	OPERATOR REPRESENTATIVE: Andy Azacarraga	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$120,584.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 22, 2021	

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>Y</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>PB</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>PB</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>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</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

The following inspection topic(s) were identified as having a **Problem (PB)**, which includes correction actions and a deadline whereby the Operator must demonstrate compliance with the conditions of the Permit and the requirements of the Act and Rules. Failure to address the corrective actions by the deadline may cause the Division to escalate the Problem to a **Possible Violation (PV)** and schedule the issue for formal hearing before the Mined Land Reclamation Board (Board).

INSPECTION TOPIC: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The Division has no evidence that the operator has a valid well permit, substitute water supply plan, or approved water augmentation plan for the exposed groundwater at the site. This is a problem related to 34-32.5-116(4)(h) of the Colorado Revised Statutes and 3.1.6(1)(a) of the Construction Materials Rules and Regulations governing injury to existing water rights.

CORRECTIVE ACTIONS: The operator shall demonstrate that the operation is in compliance with the Office of the State Engineer, show evidence that the operator is taking measures to bring the site into compliance with the SEO, or backfill the pits to at least two feet above the groundwater surface by the corrective action date specified.

CORRECTIVE ACTION DUE DATE: 2/28/22

INSPECTION TOPIC: Gen. Compliance With Mine Plan

PROBLEM/POSSIBLE VIOLATION: Problem: The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation specifically related to the installation and use of groundwater monitoring wells.

CORRECTIVE ACTIONS: The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date.

CORRECTIVE ACTION DUE DATE: 2/28/22

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety normal monitoring program. The 20 Road Gravel Pit is a 112 permitted site located off River Road between Grand Junction and Loam Colorado in Mesa County. Amy Yeldell of the Division conducted the inspection. Andy Azcarraga represented M.A Concrete Construction, Inc. and was present for the inspection.

The mine identification sign and affected area boundary markers are in place and in compliance with Rule 3.1.12. The permit is delineated by fences and perimeter berms.

The site was inactive at the time of inspection. Based on establishment of mature vegetation the pit appears to

be infrequently used. Near the entrance to the pit is a scale and scale house. Fuel in secondary containment, and a loader were on site.

A small pit is located in the Southeast corner of the permit. It is approximately three and half surface acres. The pit slopes are not reclaimed and is currently inundated. To resume mining or begin reclamation the operator will need to dewater the pit. The majority of the permit area is disturbed. A few stockpiles are located throughout the site. Additionally the site imports inert material. Topsoil is salvaged and stored in a pile along the north side of the pit adjacent to the highway.

A review of the permit application called for baseline groundwater monitoring wells to be installed around and throughout the pit area. Their use appears to be more directly related to groundwater monitoring of drawdown from pumping and its impacts to nearby cottonwood trees than actually obtaining water quality data. Very few cottonwood trees were observed during the inspection and the majority of which appear to be located outside of the permit boundary. The Division has no record of these wells being installed and no wells were observed during the inspection. This is cited as a problem for failure to follow the approved mining plan. The operator shall submit a technical revision to revise the mining plan to reflect the current operation by the corrective action date. The Division is open to conversations regarding the feasibility (or need) for these wells moving forward given current site conditions, however a demonstration will need to be made.

Regarding water rights, this site has an open pit with exposed ground water and the mine plan calls for monitoring wells to be used. Both of these activities require water rights through the State Engineers Office (DWR). The Division does not have a copy of a well permit(s) on file and cannot verify a permit(s) exists on DWR's website. There currently is a pond on site and the final reclamation plan calls for an eleven acre pond to remain. The lack of documentation for exposed groundwater is cited as a problem. Please provide the Division with proof of a valid well permit by the corrective action date.

The Division currently requires a financial warranty amount of \$120,584 for this site. The bond was initially calculated with the permit application and no increases have occurred to date. 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 after the required TR is submitted. 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

Andy Azacarraga
M.A. Concrete Construction, Inc.
2323 River Rd.
Grand Junction, CO 81505

Enclosure

CC:
Travis Marshall, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS





