

**STATE OF
COLORADO****Simmons - DNR, Leigh** <leigh.simmons@state.co.us>

M1999042, White Banks Mine, SI-4

1 message

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

Mon, Jul 18, 2022 at 5:45 AM

To: Robert Congdon <rockcreek2009@gmail.com>

Cc: Sara Stevenson-Benn - DNR <sara.stevenson-benn@state.co.us>, Jason Musick <jason.musick@state.co.us>, "Garcia, Olivia -FS" <olivia.garcia@usda.gov>, "Warner, Kevin -FS" <kevin.warner@usda.gov>

Mr Congdon,

Please find attached the notice of Surety Increase no. 4 for the White Banks Mine. This DOES require action on your part, within 60 days.

Feel free to contact me with any questions.

Leigh Simmons
Environmental Protection Specialist

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

P 303.866.3567 x 8121 | C 720.220.1180 | F 303.832.8106

1313 Sherman Street, Room 215, Denver, CO 80203

leigh.simmons@state.co.us | <https://drms.colorado.gov>**SI4.pdf**
828K



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

July 18, 2022

Robert Congdon
Avalanche Creek Marble & Alabaster LLC
P O Box 932
Carbondale, CO 81623

**Re: White Banks Mine - File No. M-1999-042
Avalanche Creek Marble & Alabaster LLC
Surety Increase (SI-4)
Increase Financial Warranty based on observed site conditions.**

Dear Robert Congdon:

On July 18, 2022 the Division of Reclamation, Mining and Safety increased the current Financial Warranty for this permit to \$62,082.00, in accordance with Rule 4.2.1 of the Rules and Regulations. This is an increase of \$20,155.00.

Please see the April 19, 2022 inspection report for details regarding why this surety increase is required.

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 (July 18, 2022).

Please make arrangements with Sara M. Stevenson-Benn at the Division's Denver office for submittal of the financial warranty. Any other questions regarding completion, execution and/or submittal of financial warranty forms should also be directed to Sara M. Stevenson-Benn by telephone at (303) 866-3567 (8148), or by email at Sara.stevenson-benn@state.co.us.

The Permittee for this site may be scheduled for a Formal Board Hearing for possible revocation of the permit after September 16, 2022, if the amount of any increased Financial Warranty has not been provided.

Bond Held:	\$41,927.00
Prior Liability:	\$41,927.00
Change in Liability:	\$20,155.00
Revised Liability:	\$62,082.00
Prior Permit Acreage:	3.50



Change in Permit Acreage:	0.00
Revised Permit Acreage:	3.50
Prior Affected Acreage:	3.50
Change in Affected Acreage:	0.00
Revised Affected Acreage:	3.50

If you have any questions, please contact me by telephone at (303) 866-3567 x 8121, or by email at Leigh.Simmons@state.co.us.

Sincerely,



Leigh D. Simmons
Environmental Protection Specialist

cc: Robert Congdon

M-GR-04

COST SUMMARY WORK

Task description: RCE update, including existing disturbance and proposed MPOO

Site: White Banks Mine

Permit Action: 2022-04-19

Permit/Job#: M1999042

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 6/2/2022

County: Pitkin

Filename: 99-042

User: LDS

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Remove structures and equipment from site	DEMOLISH	1	32.00	\$10,730
002	Seal mine portal	MINESEAL	1	8.00	\$19,207
003	Grade portal bench	DOZER	1	17.88	\$3,045
004	Rip parking area prior to topsoiling	RIPPER	1	0.54	\$98
005	Replace topsoil over disturbed areas	DOZER	1	2.32	\$395
006	Revegetate disturbed area	REVEGE	1	5.00	\$8,968
007	Mobilize reclamation crew and equipment	MOBILIZE	1	3.06	\$3,197
<u>SUBTOTALS:</u>				68.8	\$45,640

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Total = \$922

Performance bond: 1.05

Total = \$479

Job superintendent: 34.40

Total = \$2,478

Profit: 10.00

Total = \$4,564

TOTAL O & P = \$8,443

CONTRACT AMOUNT (direct + O & P) = \$54,083

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$0

Total = \$0

Engineering work and/or contract/bid preparation: 8.59

Total = \$4,646

Reclamation management and/or administration: 6.20

\$3,353

CONTINGENCY: 0.00

Total = \$0

TOTAL INDIRECT COST = \$16,442

TOTAL BOND AMOUNT (direct + indirect) = \$62,082

DEMOLITION WORK

Task description: Remove structures and equipment from site

Site: White Banks Mine

Permit Action: 2022-04-19

Permit/Job#: M1999042

PROJECT IDENTIFICATION

Task #: 001

State: Colorado

Abbreviation: None

Date: 6/2/2022

County: Pitkin

Filename: M042-001

User: LDS

Agency or organization name: DRMS

UNIT COSTS

Location adjustment: 98.50 %

Structure or Item Description	Dimensions	Demolition Menu Selection	Quantity	Unit	Unit Cost	Total Cost
Cabin on north side of FR 310	25'L x 15'W x 20xH	Bldg. (MN) demo./off-site disposal in approved landfill - Max. 30 mile haul	7,500.00	CF	\$0.45	\$3,375.00
Fencing around property on south side of FR310	1,600 lf	Fencing, barbed wire, - 3 strand	1,600.00	LF	\$1.65	\$2,640.00
Fence on north side of FR 310	40 lf	Fencing, wood, all types - 4 ft. to 6 ft. high	40.00	LF	\$1.64	\$65.60
Portal door and vent fan house	15' x 8' x 8'	Bldg. (SN) demo./off-site disposal in approved landfill - Max. 30 mile haul	960.00	CF	\$0.43	\$408.96
Powerpole	2 poles	Utility Poles, Wood 35' - 45' high (each pole)	2.00	EA	\$292.00	\$584.00
Utility box	2 boxes	Powerline or utility line - Structural Steel Box Type Frame Structure Dismantle and Dispose	2.00	EA	\$1,855.00	\$3,710.00
Overhead powerline	400lf	Disposal of utility pole and hardware surplus material	400.00	LF	\$0.02	\$8.00
Load water tanks, vent pipe, miscellaneous material	18cy	Loading only, open areas (unconfined) - Track loader	18.00	CY	\$0.60	\$10.80
Haul water tanks, vent pipe, miscellaneous material	18cy	Hauling only, per mile, 12-18 CY truck - 30 mph average speed	12.00	MI	\$7.61	\$91.32

Job Hours: 32.00

Subtotal
(unadjusted): \$10,893.68

Total Cost
(adjusted for location): \$10,730.27

SAFEGUARDING UNDERGROUND OPENINGS

Task description: Seal mine portal

Site: White Banks Mine

Permit Action: 2022-04-19

Permit/Job#: M1999042

PROJECT IDENTIFICATION

Task #: 002

State: Colorado

Abbreviation: None

Date: 6/9/2022

County: Pitkin

Filename: M042-002

User: LDS

Agency or organization name: DRMS

UNIT COSTS

Opening Description	Dimensions	Closure Method	Quantity	Unit	Unit Cost	Total Cost
Portal closure	10' x 10'	Aduit closure - bulkhead seal, >= 36 sq. ft. (per sq. ft.)	100.00	SF	\$192.07	\$19,207.00

Job Hours: 8.00

Total Cost: \$19,207.00

BULLDOZER WORKTask description: **Grade portal bench**Site: **White Banks Mine** Permit Action: **2022-04-19** Permit/Job#: **M1999042****PROJECT IDENTIFICATION**

Task #: **003** State: **Colorado** Abbreviation: **None**
 Date: **6/9/2022** County: **Pitkin** Filename: **M042-003**
 User: **LDS**

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

Basic Machine: **Cat D6T XL**
 Horsepower: **185**
 Blade Type: **Semi-Universal**
 Attachment: **NA**
 Shift Basis: **1 per day**
 Data Source: **(CRG)**

Cost Breakdown:

		<u>Utilization %</u>
Ownership Cost/Hour:	\$64.38	NA
Operating Cost/Hour:	\$64.62	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: **\$170.30**
 Total Fleet Cost/Hour: **\$170.30**

MATERIAL QUANTITIES

Initial Volume: **740**
 Swell factor: **1.000**
 Loose volume: **740 LCY**

Source of estimated volume: **Division of Reclamation, Mining & Safety**
 Source of estimated swell factor: **Cat Handbook**

HOURLY PRODUCTION

Average push distance: **50 feet**
 Unadjusted hourly production: **444.6 LCY/hr**

Materials consistency description: **Compacted fill or embankment 0.9**

Average push gradient: **30 %**
 Average site altitude: **6,800 feet**

Material weight: **3,300 lbs/LCY**Weight description: **Decomposed rock - 75% Rock, 25% Earth****Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	0.750	(AVG.)
Material consistency:	0.900	(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:	0.298	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.697	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.0931

Adjusted unit production: 41.39 LCY/hr

Adjusted fleet production: **41.39** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$4.115/LCY

Total job time: **17.88** Hours

Total job cost: **\$3,045**

BULLDOZER RIPPING WORK

Task description: Rip parking area prior to topsoiling

Site: White Banks Mine Permit Action: 2022-04-19 Permit/Job#: M1999042

PROJECT IDENTIFICATION

Task #: 004 State: Colorado Abbreviation: None
Date: 6/9/2022 County: Pitkin Filename: M042-004
User: LDS

Agency or organization name: DRMS

HOURLY EQUIPMENT COST

Basic Machine: Cat D6T XL Horsepower: 185
Ripper Attachment: 3-Shank Ripper Shift Basis: 1 per day
Data Source: (CRG)

Cost Breakdown:

		Utilization %
Ownership Cost/Hour:	\$64.38	NA
Operating Cost/Hour:	\$64.62	100
Ripper Ownership Cost/Hour:	\$5.99	NA
Ripper Operating Cost/Hour:	\$4.30	100
Operator Cost/Hour:	\$41.30	NA
Total Unit Cost/Hour:	\$180.59	
Total Fleet Cost/Hour:	\$180.59	

MATERIAL QUANTITIES

Selected estimating method: Area

Alternate Methods:

Seismic: NA Bank Volume: NA BCY NA
Area: 0.25 acres Rip Depth (ft): 2.00 Volume: 807 BCY or CCY

Source of estimated quantity: Based on current site conditions

HOURLY PRODUCTION

Seismic:

Seismic Velocity: NA feet/second

Area:

Average Ripping Depth: 1.64 feet/pass
Average Ripping Width: 6.58 feet/pass
Average Ripping Length: 50.00 feet/pass
Average Dozer Speed: 88.00 feet/minute
Average Maneuver Time: 0.25 minutes/pass
Production per unit area: 0.554 acres/hour

Job Condition Correction Factors

Unadjusted Hourly Unit Production: 0.554 Acres/hr
Site Altitude: 6,800 feet
Altitude Adj: 1.00 (CAT HB)
Job Efficiency: 0.83 (1 shift/day)
Net Correction: 0.83 multiplier

Adjusted Hourly Unit Production: 0.46 Acres/hr
Adjusted Hourly Fleet Production: **0.46** Acres/hr

JOB TIME AND COST

Fleet size: 1 Grader(s) Total job time: **0.54** Hours

Unit cost: \$392.831 Per acre Total job cost: **\$98**

BULLDOZER WORKTask description: Replace topsoil over disturbed areasSite: White Banks MinePermit Action: 2022-04-19Permit/Job#: M1999042**PROJECT IDENTIFICATION**Task #: 005State: ColoradoAbbreviation: NoneDate: 6/9/2022County: PitkinFilename: M042-005User: LDSAgency or organization name: DRMS**HOURLY EQUIPMENT COST**Basic Machine: Cat D6T XLHorsepower: 185Blade Type: Semi-UniversalAttachment: NAShift Basis: 1 per dayData Source: (CRG)**Cost Breakdown:**

		<u>Utilization %</u>
Ownership Cost/Hour:	\$64.38	NA
Operating Cost/Hour:	\$64.62	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: \$170.30Total Fleet Cost/Hour: **\$170.30****MATERIAL QUANTITIES**Initial Volume: 605Swell factor: 1.000Loose volume: **605 LCY**Source of estimated volume: Current site conditionsSource of estimated swell factor: Cat Handbook**HOURLY PRODUCTION**Average push distance: 100 feetUnadjusted hourly production: 303.3 LCY/hrMaterials consistency description: Loose stockpile 1.2Average push gradient: 0 %Average site altitude: 6,800 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: 260.63 LCY/hr

Adjusted fleet production: **260.63** LCY/hr

JOB TIME AND COST

Fleet size: 1 Dozer(s)

Unit cost: \$0.653/LCY

Total job time: **2.32** Hours

Total job cost: **\$395**

REVEGETATION WORKTask description: Revegetate disturbed areaSite: White Banks MinePermit Action: 2022-04-19Permit/Job#: M1999042**PROJECT IDENTIFICATION**Task #: 006State: ColoradoAbbreviation: NoneDate: 6/9/2022County: PitkinFilename: M042-006User: LDSAgency 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
Chisel plowing {DMG}	\$96.50
Weed control spraying (MEANS 31 31 16.13 3100)	\$290.40
Total Tilling Cost/Acre	\$386.90

SEEDING

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Mountain Brome - Bromar	3.00	4.82	\$11.40
Sheep Fescue - Bighorn	2.00	31.22	\$8.80
Slender Wheatgrass - Native	2.00	7.30	\$9.25
Mahogany, Mountain	8.00	10.84	\$294.44
Oak, Gambel's	7.00	0.05	\$255.50
Western Wheatgrass - Native	2.00	5.05	\$12.00
Serviceberry, Utah	5.00	9.41	\$337.50
Snowberry, Western	5.00	8.61	\$317.50

Totals Seed Mix	34.00	77.30	\$1,246.39
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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
Straw, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$307.02	\$614.04
Total Mulch Materials Cost/Acre				\$614.04

Application

Description	Cost /Acre
Crimping, with tractor {DMG survey data}	\$71.57
Power mulcher (MEANS 32 91 13.16 0350)	\$106.29
Total Mulch Application Cost/Acre	\$177.86

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:	<u>2.7</u>	Cost /Acre:	<u>\$2,657.19</u>
Estimated Failure Rate:	<u>25%</u>	Cost /Acre*:	<u>\$2,657.19</u>
*Selected Replanting Work Items:	<u>TILLING,SEEDING,MULCHING</u>		
Initial Job Cost:	<u>\$7,174.41</u>		
Reseeding Job Cost:	<u>\$1,793.60</u>		
Total Job Cost:	<u>\$8,968</u>		
Job Hours:	5.00		

EQUIPMENT MOBILIZATION/DEMOBILIZATIONTask description: **Mobilize reclamation crew and equipment**Site: **White Banks Mine**Permit Action: **2022-04-19**Permit/Job#: **M1999042****PROJECT IDENTIFICATION**Task #: **007**State: **Colorado**Abbreviation: **None**Date: **6/9/2022**County: **Pitkin**Filename: **M042-007**User: **LDS**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 D6T XL	23.25	\$64.38	\$68.37	1	\$132.75	\$68.37	\$250.00
Cat 315D L 8'-6" Stick	19.05	\$51.47	\$68.37	1	\$119.84	\$68.37	\$250.00
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: **\$412.29** **\$273.48** **\$1,000.00****ROADABLE EQUIPMENT:**

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x4, 3/4 T.	\$12.93	1	\$12.93	\$12.93

Subtotals: **\$12.93** **\$12.93**

EQUIPMENT HAUL DISTANCE and Time

Nearest Major City or Town within project area region: CARBONDALE
 Total one-way travel distance: 12.00 miles
 Average Travel Speed: 45.00 mph

Total Non-Roadable Mob/Demob Cost * \$3,190.32
 * two round trips with haul rig:
 Total Roadable Mob/Demob Cost ** \$6.90
 ** one round trip, no haul rig:

Transportation Cycle Time:

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	<u>0.27</u>	<u>0.27</u>
Return Time (Hours):	<u>0.27</u>	<u>0.27</u>
Loading Time (Hours):	<u>0.50</u>	<u>NA</u>
Unloading Time (Hours):	<u>0.50</u>	<u>NA</u>
Subtotals:	<u>1.53</u>	<u>0.53</u>

JOB TIME AND COST

Total job time: 3.07 Hours

Total job cost: \$3,197