



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

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: Buss Barrow Pit	MINE/PROSPECTING ID#: M-2019-021	MINERAL: Borrow material for construction	COUNTY: Fremont
INSPECTION TYPE: Surety Release Inspection	INSPECTOR(S): Timothy Cazier, P.E.	INSP. DATES: July 27, 2022 September 8, 2022	INSP. TIMES: 12:00 13:00
OPERATOR: Fremont Paving & Redi-Mix, Inc.	OPERATOR REPRESENTATIVE:	TYPE OF OPERATION: 111 - Construction by Government Agency	

REASON FOR INSPECTION: Surety Release Requested	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$8,376.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: September 9, 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: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. The Operator shall, at the entrance of the mine site post a sign, which shall be clearly visible from the access road, with a minimum size equaling one hundred and eighty-seven (187) square inches, such as eleven (11) inches in height and seventeen (17) inches in width, with appropriate font size, with the following: the name of the Operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number.

CORRECTIVE ACTIONS: The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: 10/10/22

OBSERVATIONS

Two inspections (on July 27th and September 8th) were conducted by Tim Cazier (DRMS) as part of full surety release request (SL-1). The Permittee (Fremont Paving & Redi-Mix) was represented by Ms. Jodi Schreiber during both inspections. The Buss Barrow Pit site entrance is located off US 50, approximately four miles northwest of Coaldale, CO. This is a 111 borrow mine.

The release request (SL-1) was received by the DRMS the day before the July 27th inspection and this site was added to the inspection itinerary with short notice, allowing little preparation. Upon arrival on July 27th the site access off Hwy 50 had been replaced with a four-strand barbed wire fence (see **Photo 1**). The fence was not climbed due to safety concerns and the tension of the new wire was too high to manually spread far enough to climb through.

All grading appeared to be at 3H:1V or flatter. No ponded water, material or topsoil stockpiles were observed. No listed noxious weeds or erosion features were observed. All mining related equipment had been removed from the site. The permit sign had also been removed. As this site needs additional reclamation (*see below*), the DRMS requires a permit sign meeting the requirements of Rule 1.6.2(1)(b) be posted at the site entrance, which at this point could be considered as being from the Buss Property access road rather than Hwy 50. **The missing permit sign is cited as a Problem on p. 1 of this report.** Placement of the permit sign either along Hwy 50 or on the permit boundary near the landowner's access road can be negotiated with the landowner, but must be posted until the site is released.

The site was observed to be well vegetated (see **Photo 2**). Kochia was observed near the fence, but what appeared to be grasses were thought to be covering most of the site. The DRMS received an objection to the release request from Darren Buss (landowner) on August 11th. The objection stated there were very few grasses growing and the area was very "thick with weeds". The objection letter included a photo of a large bare spot, along with photos of the weeds, and comparison photos. As a result of the objection letter, a follow-up inspection was scheduled for September 8th. Ms. Schreiber was able to coordinate access to the site from the landowner's property, eliminating the need to cross the aforementioned new barbed wire fence.

Observations during the September 8th inspection confirmed kochia as the dominant species (see **Photo 3**). A few dormant specimens of grass were found beneath the kochia (see **Photo 4**), but none appeared to be from this season's growth. Kochia is not considered a noxious weed in Colorado, so its presence is not cited as a problem in this report. However, as little to no grasses were found, the observed kochia essentially constitutes a monoculture and it is not commensurate with the approved post-mine land use for rangeland. The bare spot (see **Photo 5**) cited in the objection from Mr. Buss was estimated to be about 40 feet in diameter. It appeared to be on a slightly elevated portion of the reclamation area, where winds may have blown off the straw mulch. No other explanation for the bare spot was evident.

Summary: The DRMS cannot approve the release of a reclaimed area that consists of a vegetative monoculture (kochia), nor one where the cover is not consistent with the approved post-mine land use (rangeland in this case). The DRMS recommended consulting with the Fremont Conservation District on how to best replace the kochia with the desired grasses. Ms. Schreiber agreed to contact the FCD.

Please contact Tim Cazier (303)328-5229 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. Four strand barbed wire fence at Hwy 50 former entrance and nearby kochia (7/27/22-looking NW).



Photo 2. Graded pit floor and highwall (7/27/22-looking SW, apparent grasses in middle of photo).

PHOTOGRAPHS (cont.)



Photo 3. Kochia dominating revegetated area (9/8/22-looking NE at crest of regraded highwall, no grasses).



Photo 4. Occasional example of dormant grass below kochia (9/8/22-near bare spot in Photo 5).

PHOTOGRAPHS (cont.)



Photo 5. Bare spot above/SW of former highwall (9/8/22-looking SW, approximately 40 ft in diameter).

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>NA</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>Y</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>NA</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</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>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

Inspection Contact Address

Jodi Schreiber
Fremont Paving & Redi-Mix, Inc.
P O Box 841
Cañon City, CO 81215

ec: Michael Cunningham, DRMS
DRMS file
Jodi Schreiber, Fremont Paving
Deborah Mitchell, FCD

CC: Darren & Donna Buss
12426 US Highway 50
Howard, CO 81233