




**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety 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.

<b>MINE NAME:</b> Wattenberg Lakes	<b>MINE/PROSPECTING ID#:</b> M-2004-051	<b>MINERAL:</b> Aggregate	<b>COUNTY:</b> Weld
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Peter Hays	<b>INSP. DATE:</b> September 6, 2022	<b>INSP. TIME:</b> 09:00
<b>OPERATOR:</b> Aggregate Industries - WCR, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Neil Whitmer	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$520,000.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> September 14, 2022	

**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>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>N</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>N</u>	(FW) FISH & WILDLIFE----- <u>N</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>N</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

## OBSERVATIONS

The Wattenberg Lakes site was inspected by Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) to follow up on the corrective action cited during the April 22, 2022 inspection. Mr. Neil Whitmer with Aggregate Industries, Inc. (Operator) was present during the inspection.

The following problem was cited by the Division during the previous inspection:

**INSPECTION TOPIC:** Gen. Compliance With Mine Plan

**PROBLEM:** The approved Mining Plan states a minimum 25 foot setback will be maintained from the permit boundary with at least a 40 foot offset from the permit boundary when slurry walls are installed or from county roads. The Operator has allowed the eastern shoreline of the Phase 2 / Pond 1 to erode into the required 40 foot setback. This a problem pursuant to CRS 34-32.5-116(4)(j) for failure to stabilize the affected area and failure to effectively control erosion.

**CORRECTIVE ACTIONS:** The Division will require the Operator to backfill and grade the Phase 2 / Pond 1 Mining Area to reestablish the required 40 foot offset from the eastern permit boundary / County Road 23 ¾ and provide evidence this has been corrected by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 8/10/22

Evidence of the backfilling of the eastern boundary of the Phase 2 / Pond 1 Mining Area was observed during the inspection. However, the Division was unable to verify the required offset from CR32 ¾ during the inspection. County Road 32 ¾ was recently regraded by the oil and gas company which destroyed the survey feathers indicating the permit boundary installed in the road. The Division will require the Operator to resurvey the permit boundary along CR32 ¾ and reinstall the boundary markers. The corrective action due date to reestablish the required 40 foot offset from the eastern permit boundary / County Road 23 ¾ adjacent to the Phase 2 / Pond 1 Mining Area was extended by the Division until November 14, 2022 to allow the Operator time to survey the area.

A photograph taken during the inspection is attached. If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 303.866.3567 x 8124, or by email at [peter.hays@state.co.us](mailto:peter.hays@state.co.us).

### Inspection Contact Address

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Ec: Jared Ebert, DRMS

## PHOTOGRAPHS



View of the backfilled eastern slope of Phase 2 / Pond 1 Mining Area from the south end looking north