



STATE OF  
COLORADO

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

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## M-1980-003, McNulty Cinder Pit, SI-3, Notification of Surety Increase

1 message

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

Tue, Oct 4, 2022 at 1:53 PM

To: wendy@quartercircle8.com

Cc: Sara Stevenson-Benn - DNR <sara.stevenson-benn@state.co.us>

Mrs. McNulty,

The Division completed an inspection of the McNulty Cinder Pit on June 16, 2022. Following the inspection, the Reclamation Cost Estimate (RCE) was updated with current unit costs. The updated RCE was attached to the inspection report and shared with you on August 30, 2022.

I have not received any comments on the RCE from you, so I have initiated a formal Surety Increase permitting action. The notification of Surety Increase is attached to this email. **This does require action on your part.**

Please contact me if you have 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

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**SI3\_NotificationOfSuretyIncrease.pdf**

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

October 4, 2022

Sarah L. McNulty  
Quarter Circle 8 LLPdba Cattle Creek Cinders LLC  
7747 Country Road 100  
Carbondale, CO 81623

**Re: McNulty Cinder Pit - File No. M-1980-003**  
**Quarter Circle 8 LLPdba Cattle Creek Cinders LLC**  
**Surety Increase (SI-3)**  
**Surety Increase following June 16, 2022 inspection.**

Dear Sarah L. McNulty:

On October 4, 2022 the Division of Reclamation, Mining and Safety increased the current Financial Warranty for this permit to \$36,540.00, in accordance with Rule 4.2.1 of the Rules and Regulations. This is an increase of \$13,540.00.

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 (October 4, 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 December 3, 2022, if the amount of any increased Financial Warranty has not been provided.

Bond Held:	\$23,000.00
Prior Liability:	\$23,000.00
Change in Liability:	\$13,540.00
Revised Liability:	\$36,540.00
Prior Permit Acreage:	9.30
Change in Permit Acreage:	0.00





Revised Permit Acreage:	9.30
Prior Affected Acreage:	9.30
Change in Affected Acreage:	0.00
Revised Affected Acreage:	9.30

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,

A handwritten signature in blue ink, appearing to read "L. Simmons", is positioned above the printed name.

Leigh D. Simmons  
Environmental Protection Specialist

cc: Sarah L. McNulty

M-GR-04



## COST SUMMARY WORK

Task description: Site reclamation

Site: McNulty Cinder Pit Permit Action: June 16, 2022  
Inspection

Permit/Job#: M1980003

### PROJECT IDENTIFICATION

Task #: 000 State: Colorado Abbreviation: None  
Date: 8/26/2022 County: Eagle Filename: M003-000  
User: LDS

Agency or organization name: DRMS

### TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
01a	HW slope reduction	DOZER	1	9.26	\$2,441
02a	Rip pit floor	RIPPER	1	12.12	\$3,447
03a	Spread growth medium	DOZER	1	6.03	\$1,592
04a	Revegetate disturbed area	REVEGE	1	10.00	\$18,218
05a	Mobilize reclamation crew and equipment	MOBILIZE	1	4.28	\$3,274
<b><u>SUBTOTALS:</u></b>				<b>41.69</b>	<b>\$28,972</b>

### INDIRECT COSTS

#### OVERHEAD AND PROFIT:

Liability insurance:	2.02	Total =	\$585
Performance bond:	1.05	Total =	\$304
Job superintendent:	20.85	Total =	\$1,566
Profit:	10.00	Total =	\$2,897

TOTAL O & P = \$5,353

CONTRACT AMOUNT (direct + O & P) = \$34,325

#### LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs):	<u>\$500</u>	Total =	<u>\$500</u>
Engineering work and/or contract/bid preparation:	<u>0.00</u>	Total =	<u>\$0</u>
Reclamation management and/or administration:	<u>5.00</u>		<u>\$1,716</u>

CONTINGENCY: 0.00 Total = \$0

TOTAL INDIRECT COST = \$7,569

**TOTAL BOND AMOUNT (direct + indirect) = \$36,541**



**BULLDOZER WORK**Task description: **HW slope reduction**

Site: **McNulty Cinder Pit** Permit Action: **June 16, 2022** Permit/Job#: **M1980003**  
 Inspection

**PROJECT IDENTIFICATION**

Task #: **01A** State: **Colorado** Abbreviation: **None**  
 Date: **8/26/2022** County: **Eagle** Filename: **003-01a**  
 User: **LDS**

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

Basic Machine: **Cat D8T - 8SU**  
 Horsepower: **310**  
 Blade Type: **Semi-Universal**  
 Attachment: **NA**  
 Shift Basis: **1 per day**  
 Data Source: **(CRG)**

**Cost Breakdown:**

		<u>Utilization %</u>
Ownership Cost/Hour:	\$124.85	NA
Operating Cost/Hour:	\$97.63	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: **\$263.78**  
 Total Fleet Cost/Hour: **\$263.78**

**MATERIAL QUANTITIES**

Initial Volume: **5,185**  
 Swell factor: **1.245**  
 Loose volume: **6,455 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: **1,400.0 LCY/hr**

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

Average push gradient: **-15 %**  
 Average site altitude: **7,400 feet**

Material weight: **3,300 lbs/LCY**Weight description: **Basalt****Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	0.750	(AVG.)
Material consistency:	0.900	(CAT HB))
Dozing method:	1.200	(SLOT)



Visibility:	1.000	(AVG.)
Job efficiency:	0.830	(1 SHIFT/DAY)
Spoil pile:	0.800	(FND-RF)
Push gradient:	1.329	(CAT HB)
Altitude:	1.000	(CAT HB)
Material Weight:	0.697	(CAT HB)
Blade type:	1.000	(PAT)

Net correction: 0.4982

Adjusted unit production: 697.48 LCY/hr

Adjusted fleet production: **697.48** LCY/hr

### **JOB TIME AND COST**

Fleet size: 1 Dozer(s)

Unit cost: \$0.378/LCY

Total job time: **9.26** Hours

Total job cost: **\$2,441**



## BULLDOZER RIPPING WORK

Task description: Rip pit floor

Site: McNulty Cinder Pit Permit Action: June 16, 2022 Inspection Permit/Job#: M1980003

### PROJECT IDENTIFICATION

Task #: 02A State: Colorado Abbreviation: None  
Date: 8/26/2022 County: Eagle Filename: 003-02a  
User: LDS

Agency or organization name: DRMS

### HOURLY EQUIPMENT COST

Basic Machine: Cat D8T - 8SU Horsepower: 310  
Ripper Attachment: 3-Shank Ripper Shift Basis: 1 per day  
Data Source: (CRG)

#### Cost Breakdown:

		Utilization %
Ownership Cost/Hour:	\$124.85	NA
Operating Cost/Hour:	\$97.63	100
Ripper Ownership Cost/Hour:	\$13.10	NA
Ripper Operating Cost/Hour:	\$7.30	100
Operator Cost/Hour:	\$41.30	NA
Total Unit Cost/Hour:	\$284.18	
Total Fleet Cost/Hour:	<b>\$284.18</b>	

### MATERIAL QUANTITIES

Selected estimating method: Area

#### Alternate Methods:

Seismic: NA Bank Volume: NA BCY NA  
Area: 6.00 acres Rip Depth (ft): 2.00 Volume: 19,360 BCY or CCY

Source of estimated quantity: Inspection observations

### HOURLY PRODUCTION

#### Seismic:

Seismic Velocity: NA feet/second

#### Area:

Average Ripping Depth: 2.56 feet/pass  
Average Ripping Width: 7.08 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: 0.596 acres/hour

#### Job Condition Correction Factors

Unadjusted Hourly Unit Production: 0.596 Acres/hr  
Site Altitude: 7,400 feet  
Altitude Adj: 1.00 (CAT HB)  
Job Efficiency: 0.83 (1 shift/day)  
Net Correction: 0.83 multiplier

Adjusted Hourly Unit Production: 0.49 Acres/hr  
Adjusted Hourly Fleet Production: **0.49** Acres/hr

### JOB TIME AND COST

Fleet size: 1 Grader(s) Total job time: **12.13** Hours

Unit cost: \$574.511 Per acre Total job cost: **\$3,447**







**BULLDOZER WORK**Task description: Spread growth medium

Site: McNulty Cinder Pit Permit Action: June 16, 2022 Permit/Job#: M1980003  
Inspection

**PROJECT IDENTIFICATION**

Task #: 03A State: Colorado Abbreviation: None  
 Date: 8/26/2022 County: Eagle Filename: 003-03a  
 User: LDS

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

Basic Machine: Cat D8T - 8SU  
 Horsepower: 310  
 Blade Type: Semi-Universal  
 Attachment: NA  
 Shift Basis: 1 per day  
 Data Source: (CRG)

**Cost Breakdown:**

		<u>Utilization %</u>
Ownership Cost/Hour:	<u>\$124.85</u>	<u>NA</u>
Operating Cost/Hour:	<u>\$97.63</u>	<u>100</u>
Ripper own. Cost/Hour:	<u>\$0.00</u>	<u>NA</u>
Ripper op. Cost/Hour:	<u>\$0.00</u>	<u>0</u>
Operator Cost/Hour:	<u>\$41.30</u>	<u>NA</u>

Total unit Cost/Hour: \$263.78  
 Total Fleet Cost/Hour: \$263.78

**MATERIAL QUANTITIES**

Initial Volume: 7,260  
 Swell factor: 1.000  
 Loose volume: 7,260 LCY

Source of estimated volume: 9 ac. @ 6" depth  
 Source of estimated swell factor: Cat Handbook

**HOURLY PRODUCTION**

Average push distance: 50 feet  
 Unadjusted hourly production: 1,400.0 LCY/hr

Materials consistency description: Loose stockpile 1.2

Average push gradient: 0 %  
 Average site altitude: 7,400 feet

Material weight: 1,600 lbs/LCYWeight description: Top Soil**Job Condition Correction Factor**

		<u>Source</u>
Operator Skill:	<u>0.750</u>	<u>(AVG.)</u>
Material consistency:	<u>1.200</u>	<u>(CAT HB)</u>
Dozing method:	<u>1.000</u>	<u>(GEN.)</u>



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: 1,203.02 LCY/hr

Adjusted fleet production: **1203.02** LCY/hr

### **JOB TIME AND COST**

Fleet size: 1 Dozer(s)

Unit cost: \$0.219/LCY

Total job time: **6.03** Hours

Total job cost: **\$1,592**



**REVEGETATION WORK**Task description: Revegetate disturbed area

Site: McNulty Cinder Pit Permit Action: June 16, 2022 Permit/Job#: M1980003  
Inspection

**PROJECT IDENTIFICATION**

Task #: 04A State: Colorado Abbreviation: None  
 Date: 8/26/2022 County: Eagle Filename: 003-04a  
 User: LDS

Agency or organization name: DRMS**FERTILIZING****Materials**

Description	Units / Acre	Unit	Cost / Unit	Cost /Acre
			\$	\$
			<b>Total Fertilizer Materials Cost/Acre</b>	<b>\$0.00</b>

**Application**

Description	Cost /Acre
	\$
<b>Total Fertilizer Application Cost/Acre</b>	<b>\$0.00</b>

**TILLING**

Description	Cost /Acre
Chisel plowing {DMG}	\$98.43
Weed control spraying (MEANS 31 31 16.13 3100)	\$290.40
<b>Total Tilling Cost/Acre</b>	<b>\$388.83</b>

**SEEDING**

Seed Mix	Rate – PLS LBS / Acre	Seeds per SQ. FT	Cost /Acre
Indian Ricegrass - Native	2.50	8.09	\$16.25
Sand Dropseed	0.05	5.97	\$0.49
Thickspike Wheatgrass - Critana	2.50	8.84	\$17.19
Rabbitbrush, Rubber	0.50	7.45	\$32.15
Saltbush, Four Wing	0.50	0.69	\$6.25
Sumac, Skunkbrush	0.50	0.23	\$10.50
		31.27	<b>\$82.82</b>



<b>Totals Seed Mix</b>	6.55		
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**Application**

<b>Description</b>	<b>Cost /Acre</b>
Drill Seeding (DRMS Survey Cost)	\$232.00
<b>Total Seed Application Cost/Acre</b>	<b>\$232.00</b>

**MULCHING and MISCELLANEOUS****Materials**

<b>Description</b>	<b>Units / Acre</b>	<b>Unit</b>	<b>Cost / Unit</b>	<b>Cost /Acre</b>
Straw, delivered {MEANS 31 25 14.16 1200}	2.00	TON	\$421.36	\$842.72
<b>Total Mulch Materials Cost/Acre</b>				<b>\$842.72</b>

**Application**

<b>Description</b>	<b>Cost /Acre</b>
Crimping, with tractor {DMG survey data}	\$73.00
<b>Total Mulch Application Cost/Acre</b>	<b>\$73.00</b>

**NURSERY STOCK PLANTING**

<b>Common Name</b>	<b>No / Acre</b>	<b>Type and Size</b>	<b>Planting Cost</b>	<b>Fertilizer Pellet Cost</b>	<b>Cost /Acre</b>
					\$
<b>Totals Nursery Stock Cost / Acre</b>					<b>\$0.00</b>

**JOB TIME AND COST**

No. of Acres: 9 Cost /Acre: \$1,619.37  
 Estimated Failure Rate: 25% Cost /Acre\*: \$1,619.37  
 \*Selected Replanting Work Items: TILLING,SEEDING,MULCHING

Initial Job Cost: **\$14,574.33**  
 Reseeding Job Cost: **\$3,643.58**  
 Total Job Cost: **\$18,218**  
 Job Hours: **10.00**



**EQUIPMENT MOBILIZATION/DEMOBILIZATION**Task description: **Mobilize reclamation crew and equipment**

Site: **McNulty Cinder Pit** Permit Action: **June 16, 2022** Inspection  
 Permit/Job#: **M1980003**

**PROJECT IDENTIFICATION**

Task #: **05A** State: **Colorado** Abbreviation: **None**  
 Date: **8/26/2022** County: **Eagle** Filename: **003-05a**  
 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:**

<b>Available Rig Capacities</b>	<b>0-25 Tons</b>	<b>26-50 Tons</b>	<b>51+ Tons</b>
Ownership Cost/Hour:	\$15.25	\$23.06	\$37.58
Operating Cost/Hour:	\$25.26	\$30.83	\$51.41
Operator Cost/Hour:	\$27.71	\$27.71	\$27.71
Helper Cost/Hour:	\$0.00	\$20.22	\$20.22
Total Unit Cost/Hour:	\$68.22	\$101.82	\$136.92

**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 D8T - 8SU	47.71	\$124.85	\$101.82	1	\$226.67	\$101.82	\$250.00
CAT 972H	28.00	\$53.96	\$101.82	1	\$155.78	\$101.82	\$250.00
Drill/Broadcast Seeder with Tractor	25.00	\$6.25	\$68.22	1	\$74.47	\$68.22	\$250.00
Subtotals:					<b>\$456.92</b>	<b>\$271.86</b>	<b>\$750.00</b>

**ROADABLE EQUIPMENT:**

Machine Description	Total Cost/hr/ unit	Fleet Size	Haul Trip Cost/hr/ fleet	Return Trip Cost/hr/ fleet
Light Duty Pickup, 4x4, 1 T. Crew	\$24.30	1	\$24.30	\$24.30
Subtotals:			<b>\$24.30</b>	<b>\$24.30</b>



**EQUIPMENT HAUL DISTANCE and Time**

Nearest Major City or Town within project area region:	<u>GLENWOOD SPRINGS</u>	
Total one-way travel distance:	<u>20.00</u>	miles
Average Travel Speed:	<u>35.00</u>	mph

Total Non-Roadable Mob/Demob Cost *	<u>\$3,246.73</u>
'* two round trips with haul rig:	
Total Roadable Mob/Demob Cost **	<u>\$27.77</u>
** one round trip, no haul rig:	

**Transportation Cycle Time:**

	Non-Roadable Equipment	Roadable Equipment
Haul Time (Hours):	<u>0.57</u>	<u>0.57</u>
Return Time (Hours):	<u>0.57</u>	<u>0.57</u>
Loading Time (Hours):	<u>0.50</u>	<u>NA</u>
Unloading Time (Hours):	<u>0.50</u>	<u>NA</u>
Subtotals:	<u>2.14</u>	<u>1.14</u>

**JOB TIME AND COST**

Total job time: 4.29 Hours

Total job cost: \$3,274