



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: Graff Pit	MINE/PROSPECTING ID#: M-2017-027	MINERAL: Aggregate	COUNTY: Delta
INSPECTION TYPE: Monitoring	WEATHER: Raining	INSP. DATE: October 26, 2022	INSP. TIME: 07:20
OPERATOR: Whitewater Building Materials Corporation	OPERATOR REPRESENTATIVE: Mark Gardner	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE:	BOND AMOUNT: \$30,996.49
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Robert Zuber, P.E.	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 1, 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: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The Division has no evidence that the operator has a valid well permit for the exposed groundwater at the site. This is a problem related to 6.4.13 of the Construction Materials Rules and Regulations. Also, the operator has provided no documentation from the Division of Water Resources related to 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: 1/06/23

INSPECTION TOPIC: Hydrologic Balance

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. In particular, a Technical Revision should be submitted to update Exhibit G with a discussion of how the site will be developed to prevent erosion or other damage to river banks. This exhibit must also discuss how the site will not negatively impact downstream flooding.

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: 1/06/23

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign and affected area boundary markers were not in compliance with the requirements of Rule 3.1.12. 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. Also, markers were not in place at the north end of the site.

CORRECTIVE ACTIONS: The operator must post a sign at the entrance to the mine site which shall be clearly visible from the access road and specify the following; the name of the operator, indicate that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board, and the permit number. The boundaries of the affected area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries. Proof of signs and markers must be submitted to the Division by the corrective action date.

CORRECTIVE ACTION DUE DATE: 12/02/22

OBSERVATIONS

This was a normal monitoring inspection of the Graff Pit (a 112c operation, file number M-2017-027) conducted by the Division of Reclamation, Mining and Safety (Division or DRMS). The Graff Pit is located 2.5 miles northeast of Delta and is accessed from Homestead Road. Mark Gardner, Whitewater Building Materials Corporation, was present during the inspection. The weather was rainy and cool. The ground was muddy.

A sign at the entrance off of Homestead Road does not include a reference to the Colorado Mined Land Reclamation Board. This is required per Rule 3. 1.12(1), and the sign needs to be updated. Also, markers of the boundary were missing at the north end.

The current site use is cropland. The post mining land use will be mostly recreation (28-acre lake) with cropland at the asphalt plant area, the southeast portion. The permit area includes 41.43 acres, of which 37.30 acres are expected to be mined. The unmined acreage will serve as buffer zones and topsoil/ overburden stockpile area. It is expected that sufficient quantities of overburden material will be available on site for reclamation, and that enough topsoil will be salvaged in order to be distributed over the disturbed areas during reclamation at a depth of no less than 12 inches. The mined aggregate materials will be processed on site.

The mine plan includes exposure of groundwater. A well permit must be obtained from the Division of Water Resources and documentation provided to DRMS. Also, Whitewater Building Materials Corporation should provide documentation from DWR stating that there are no problems related to water rights at this site.

The site is within the floodplain of the Gunnison River. A Technical Revision should be submitted to update Exhibit G with a discussion of how the site will be developed to prevent erosion or other damage to river banks. This exhibit must also discuss how the site will not negatively impact downstream flooding. This latter discussion should include a volumetric analysis of the excavation and material piles.

A small amount of disturbance was seen at the northeast corner of the site. This includes a berm and excavation. Future Annual Reports should show and describe all disturbance.

The Division holds a \$30,996 bond for the site. The reclamation cost estimate for the required surety for the site has not yet been updated. This will be done in the near future, and (if necessary) the Division will increase the Financial Warranty for this permit via a Surety Increase action.

Overall, no problems were noted on this site. In particular, no noxious weeds were seen, and there was no sign of sediment loading to adjacent lands or runoff from the site causing erosion.

PHOTOGRAPHS



Entrance sign



Excavation and berm at northeast corner



Looking southwest from north side

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>N</u>	(RD) ROADS----- <u>NA</u>
(HB) HYDROLOGIC BALANCE----- <u>PB</u>	(BG) BACKFILL & GRADING----- <u>NA</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>NA</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>Y</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

Inspection Contact Address

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