




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: Silver Cliff Pit	MINE/PROSPECTING ID#: M-2011-015	MINERAL: Borrow material for	COUNTY: Custer
INSPECTION TYPE: Monitoring	WEATHER: Windy	INSP. DATE: November 9, 2022	INSP. TIME: 13:30
OPERATOR: Seifert Enterprises, LLC	OPERATOR REPRESENTATIVE: Eric Seifert	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$130,243.60
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Eric Scott	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 10, 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: Availability Of Records

PROBLEM/POSSIBLE VIOLATION: Problem: Overhead utility lines are present within 200' of the affected area. The construction materials rules (6.4.19) state: Where the affected lands are within two hundred (200) feet of any significant, valuable and permanent man-made structure, the applicant shall:

- (a) provide a notarized agreement between the applicant and the person(s) having an interest in the structure, that the applicant is to provide compensation for any damage to the structure; or
- (b) where such an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- (c) where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility.

CORRECTIVE ACTIONS: Provide documentation that the operator has complied with 6.4.19 of the construction materials rule as cited above.

CORRECTIVE ACTION DUE DATE: 1/31/23

OBSERVATIONS

This was a routine monitoring inspection conducted by Eric Scott of the Division of Reclamation Mining and Safety (DRMS) of the Silver Cliff Pit, a 41.5 acre, 112c permit operated by Seifert Construction. Permittee representative Eric Seifert accompanied DRMS during the inspection. The Silver Cliff pit entrance/access road is located approximately 0.5 miles north of Silver Cliff and accessed from County Road 243/Spencer Street. Crushing was taking place at the site at the time of this inspection.

Prior to the inspection of this site Seifert provided DRMS with an updated lease between Seifert and the Town of Silver Cliff. The Town of Silver Cliff holds 100% of the surface rights for the permit area. Seifert also provided documentation provided by the Town of Silver Cliff's attorney explaining why additional access agreements were not required from holders of mineral rights within the permit area. These documents will be included in the DRMS site file.

The site identification sign was present and the permit boundary is defined by fencing (photo 1). The current maximum allowable disturbed acreage for this permit is 37 acres. Based on this inspection and a review of available aerial photography only about 12 acres of the 41.5 acre permit have been affected. Mining appears to be taking place according to the approved mining plan at this time.

The affected area is within 200' of overhead power lined located along the west side of the permit (photo 2). This issue was also noted in the previous inspection conducted in 2019, but does not appear to have been resolved. As stated on the first page of this report "Where the affected lands are within two hundred (200) feet of any significant, valuable and permanent man-made structure, the applicant shall:

- (a) provide a notarized agreement between the applicant and the person(s) having an interest in the structure, that the applicant is to provide compensation for any damage to the structure; or
- (b) where such an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- (c) where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility."

This will require the permittee to provide documentation to demonstrate that they are in compliance with rule 6.4.19 as cited above by the corrective action date of 1/31/23.

No other issues were noted during this inspection.

PHOTOGRAPHS



Photo 1 – Site identification sign at site entrance



Photo 2 – Overhead utility pole significantly closer than 200 feet from permit boundary fence.



Photo 3 – Overview from NW to SE across active area of site with crusher operation.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

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

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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