


**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: Uncompahgre Pit	MINE/PROSPECTING ID#: M-2013-007	MINERAL: Gravel and sand	COUNTY: Montrose
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: December 1, 2022	INSP. TIME: 13:50
OPERATOR: Lazy K-Bar Land & Cattle Company, LLLP	OPERATOR REPRESENTATIVE: Zane Luttrell	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Priority	BOND CALCULATION TYPE: None	BOND AMOUNT: \$99,409.04
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Dustin Czaplá	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 2, 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: Acid And Toxic Materials**PROBLEM/POSSIBLE VIOLATION:** Problem: A fuel spill has occurred at the site which has impacted soils, surface water or groundwater.**CORRECTIVE ACTIONS:** The operator shall immediately remediate the spill and submit a final report to the Division containing at least the following information:

- 1.) A description of how the spill was cleaned up containing at a minimum - the appropriate maps, volumes removed, sample locations, analytical data, and photo documentation.
- 2.) Evidence in the form of a receipt that the contaminated soil was disposed of by an approved method (such as sent to an approved landfill, land farming, recycling center, etc.).

CORRECTIVE ACTION DUE DATE: January 6, 2023

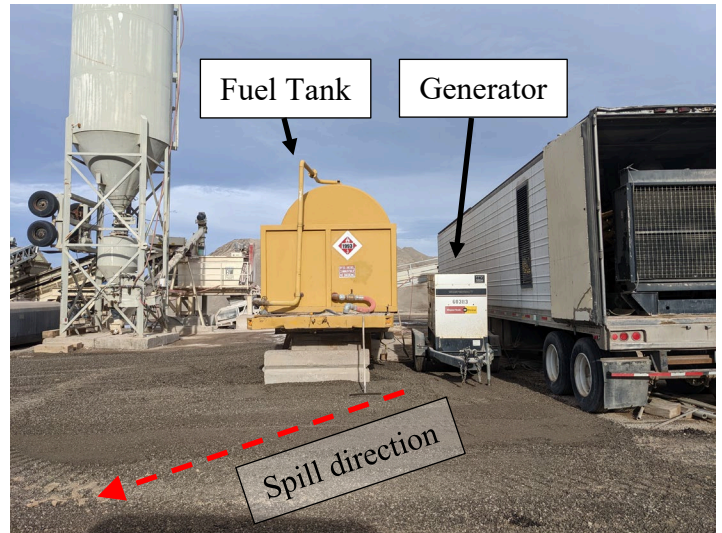
OBSERVATIONS

This inspection was conducted in response to a CDPHE spill report that was filed November 30, 2022 at 3:10 p.m. I spoke with the Operator representative, Zane Luttrell, at the site office before proceeding up to the pit where I met A.J. Becenti, representing Elam Construction, at the spill area.

According to the operator the spill occurred on November 30, 2022 at 5:45 a.m. Approximately 350 gallons of diesel fuel was released from a fuel tank due to a ball valve being inadvertently left partially open after refueling an adjacent generator. Fuel leaked onto frozen ground and flowed over the surface approximately 50-60 feet. At the time of this inspection the contaminated soil had already been excavated and removed, and the spill area backfilled and regraded. According to the operator, visually contaminated soil was not observed deeper than approximately one foot in depth. The contaminated soil was transported to the recycled asphalt stockpile, at the north end of the pit, to be run through the asphalt plant in order to "burn off" the fuel. The spill has been noted as a problem on page one of this report.

No other problems or violations were noted during this inspection.

Responses to this inspection report should be directed to Dustin Czapla at the Division of Reclamation, Mining and Safety, 1313 Sherman Street Room 215, Denver, Colorado, 80203, phone number (303) 866-3567, ext. 8188.



Fuel tank and generator where spill occurred



Spill Area



Spill Area



Contaminated soil placed on top of recycled asphalt stockpile



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>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</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>N</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>PB</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

Zane Luttrell
Lazy K-Bar Land & Cattle Company, LLLP
70455 Buckhorn Road
Montrose, CO 81403

Colorado Environmental Spills or Releases Reporting Form

This form should be completed for any type of petroleum product or hazardous materials / waste spill or release or to satisfy any federal or state reporting requirements.

Response was added on 11-28-2022 17:31.

Date Reported	11-30-2022 15:10 (in military time)
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Who completed the "CDPHE Only" fields for this report?	<input checked="" type="radio"/> Ann Nedrow
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Reporting Party Information

Reporting party's name	Jim Doody
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Reporting party's organization	Elam Construction
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Phone number	(970) 712-6634
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Email address	jim.doody@elamconstruction.com
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Street address	556 Struthers Ave.
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City	Grand Junction
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Zip code	81501
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State	<input checked="" type="radio"/> Colorado
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Potentially Responsible Party's (PRP) Information

Is the Potentially Responsible Party (PRP) the same as the Reporting Party above?	<input checked="" type="radio"/> Yes
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Event Information

Event date	11-30-2022
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Event time	05:45 ((click the clock to use sliding bars or enter in Military Time))
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Do you have the physical address, highway, or intersection, or the legal description of where the event occurred?	<input checked="" type="checkbox"/> Physical Address, Highway, or Intersection
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Physical address, highway, or intersection where the event occurred	67246 T Road
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City where the event occurred	Montrose
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County where the event occurred	<input checked="" type="checkbox"/> Montrose
State where the event occurred	<input checked="" type="checkbox"/> Colorado
Do you also have the latitude and longitude of where the event occurred?	<input checked="" type="checkbox"/> No
Material Information	
CDPHE Only - Type of Material	<input checked="" type="checkbox"/> Oil
Is this a Permit Exceedance?	<input checked="" type="checkbox"/> No
Material	diesel ((If oil, please specify type))
Quantity	350
Units	<input checked="" type="checkbox"/> Gallons
Did any of the released material impact a waterway or storm drain, even if dry?	<input checked="" type="checkbox"/> No
Was there a second material?	<input checked="" type="checkbox"/> No
Source Information	
Please identify source of the spill or release. This is the entity from which the material(s) are discharged, such as a motor vehicle, a railcar or a storage tank.	
General source	<input checked="" type="checkbox"/> Other
Specific source	<input checked="" type="checkbox"/> Other
Other source, please describe	ball valve on a hose to a generator
Cause	<input checked="" type="checkbox"/> Equipment failure
Please describe the cause of the spill, release, or incident and whether the spill impacted concrete, asphalt, gravel, dirt, water, dry waterway, fixed facility or air.	While sitting, diesel leaked out of the ball valve on a hose to a little generator to the frozen dirt in the bottom of Uncompahgre Pit, a gravel pit. No waterways were impacted.
CDPHE Only - Medium Impacted	dirt
CDPHE Only - Medium Impacted Categories	<input checked="" type="checkbox"/> Land
Actions Taken Information	

What, if any, mitigation actions have been taken?	5-6 inches of rap have been placed around the spill to contain it. Rap is recycled asphalt product. They plan to put the impacted rap back in the asphalt burner, burn it, and re-use it. Excavation of the impacted dirt is planned, along with soil samples.
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Was a clean-up contractor contacted?	<input checked="" type="radio"/> No
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Please select the Incident Report Number generated in the drop down.

⊗ 2022-0641

2022-0641

[illegible]

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