




**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.

<b>MINE NAME:</b> Lyle Smith Pit	<b>MINE/PROSPECTING ID#:</b> M-1977-053	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Costilla
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> April 27, 2023	<b>INSP. TIME:</b> 11:20
<b>OPERATOR:</b> Asphalt Constructors, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Todd Stockebrand	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b>	<b>BOND AMOUNT:</b> \$128,120.82	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Lucas West Todd Jesse	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> May 3, 2023	

**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>N</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</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>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>Y</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

This inspection was conducted in response to the Operator's request for a Technical Revision (TR-2) to expand the affected area boundary as well as part of the normal monitoring program established by the Colorado Division of Reclamation Mining and Safety's Active Mines Program. The Lyle Smith Pit is an Active 112(c) located approximately 1 mile southwest of Ft. Garland, CO at 7860 feet in elevation. The site lies just south of Highway 160 at the intersection of County Road HH and Road 18. Access to the site is controlled by a locked gate. The site is approved for 90.96 permitted acres with approximately 58 acres disturbed. Reclamation will be completed to achieve a post mining land use of wildlife habitat. The Division currently holds \$128,120.82 in financial warranty for the site. A reclamation cost estimate update will be performed and notice of any change in the required financial warranty for the site will be sent to the Operator under a separate cover. In addition to the Inspector and Operator listed on page one of this report, Todd Jesse of DRMS accompanied the inspection. Five Photos accompany this report to illustrate the current site conditions.

The main focus of this inspection was to observe the proposed expansion of the Affected Area Boundary within the Permit Area. The area was delineated in previous permitting actions as Phase IV of the mine plan and consists of 11.98 Acres of undisturbed area. This will make the Permit and Affected Area Boundaries common in the southern extent of the site. Photos One through Three show the Phase IV Area. The area is currently undisturbed, and vegetated with non-noxious annual weeds as well as typical rangeland species. The vegetative cover is sparse, and consistent with adjacent, non-permitted lands. The current Affected Area Boundary is delineated by a fence along the southern edge of the Phase III area shown in Photo Four. The Operator has provided all the necessary information regarding the Mining and Reclamation plan updates needed to proceed into the Phase IV area. Therefore, based on the information provided and the observations made during this inspection TR-2 is **approved**. Please see the enclosed TR-2 approval letter for details.

During this inspection the entirety of the site was also observed. The proper mine identification signage was posted at the entrance to the site. Also observed were the permit boundary markers, which consisted of T-posts, fence lines and earthen berms. Several pieces of equipment were located on site during the inspection including a front end loaders, crusher, conveyors and a hot plant. The site was actively being mined during the inspection however the hot plant was not running and material was being hauled off site from the stockpiles. The stockpiles observed on the pit floor included various sized materials, as well as some overburden and asphalt that is to be recycled. Examples of the stockpiles can be seen in Photo Five. All of the stockpiles on the pit floor appear to be stable and in good condition with no signs of degradation. The side slopes of the pit have been relaxed to approximately a 3H: 1V or shallower, and also appear to be stable. The side slopes are well vegetated with grasses and shrubs and are in good condition. An example of the side slopes can be seen in Photo Six.

The active mining area was observed, and consists of a highwall that is on average approximately 22 feet tall and approximately 1300 linear feet in length in an L shaped configuration along the south and east sides of Phase III. The highwall can be seen in Photo Seven and appears to be stable with no evidence of sluffing, sliding or erosion noted. The material is removed from the highwall and processed in the crusher adjacent to the highwall and stockpiled on the pit floor. All areas around the highwall and crusher are in good condition. All fuel and potentially hazardous materials are being stored in a mobile trailer with the proper containment devices and observed bulk fuel tanks were verified to be empty.

The overall footprint of the site is in good condition and free from trash and debris. The site is extremely well kept and orderly. No evidence of settling, slumping, subsidence or erosion was observed throughout the site. No noxious weeds were noted and conversations with the operator indicate that weed management is ongoing. No problems or possible violations were noted during this inspection. All responses to this report should be directed to Lucas West at the Colorado Division of Reclamation, Mining and Safety at 1313 Sherman Street, Room 215, Denver CO, 80203, by phone at (970)-243-6368 or by email at lucas.west@state.co.us.

### **PHOTOGRAPHS**





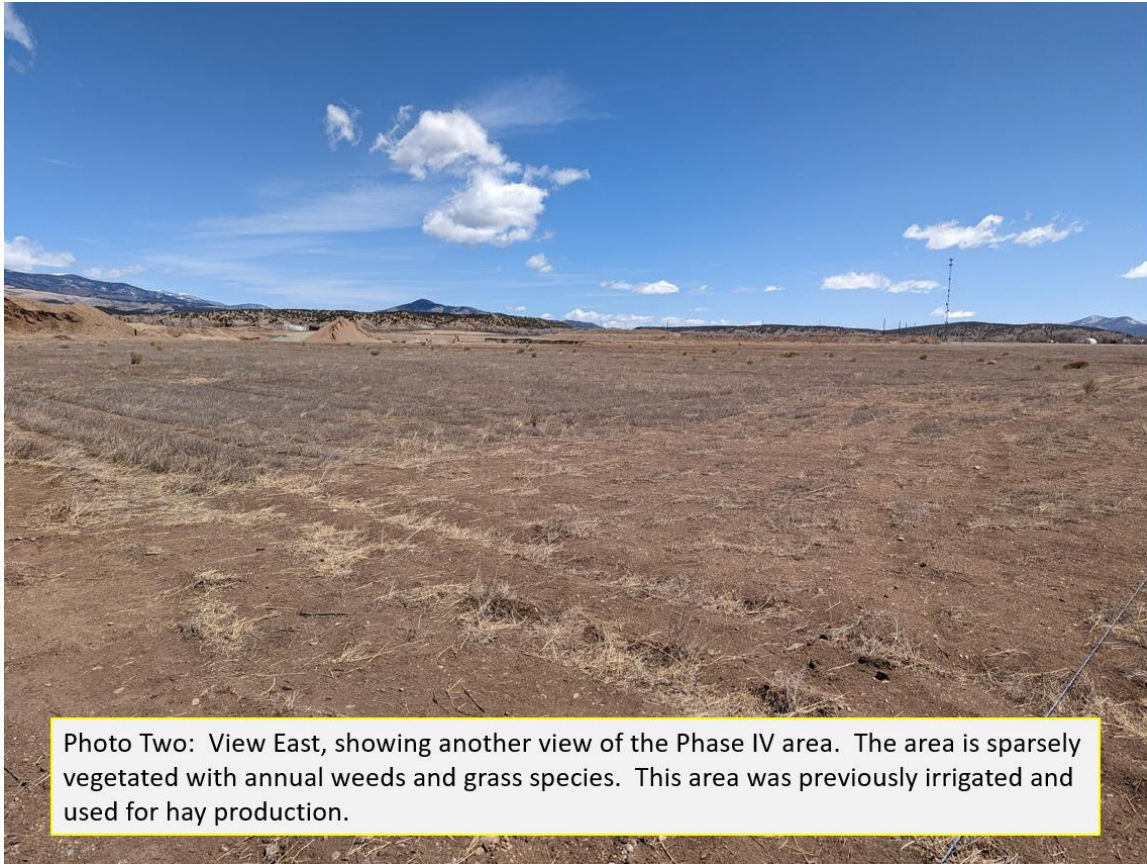






Photo Four: View West, showing the southernmost extent of the Phase III area with topsoil stockpiles. The area is marked by fence line showing the current extent of the Affected Area.



Photo Five: View East, showing the graveled pit floor as well as various materials stockpiles stored on site. The pit floor and all stockpiles were stable at the time of the inspection and in excellent condition.





**Inspection Contact Address**

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Asphalt Constructors, Inc.  
7040 W US Highway 160  
Alamosa, CO 81101

Enclosure: TR-2 Approval Letter  
CC: Travis Marshall, DRMS  
Ec: Todd Stockebrand, Asphalt Constructors, Inc.