



STATE OF
COLORADO

Zuber - DNR, Rob <rob.zuber@state.co.us>

Western Sugar inspection report

1 message

Zuber - DNR, Rob <rob.zuber@state.co.us>
To: Garrett Varra <gvarra@raptormaterialsllc.com>

Mon, Jun 19, 2023 at 3:26 PM

Hi, Garrett -

Please see the attached report. Let me know if you have questions or comments.

Rob

Rob Zuber, P.E.
Environmental Protection Specialist
Active Mines Regulatory Program



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

I am working remotely and can be reached by cell at 720.601.2276.

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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: Western Sugar Reclamation Land Developme	MINE/PROSPECTING ID#: M-2010-049	MINERAL: Gravel and sand	COUNTY: Weld
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: May 16, 2023	INSP. TIME: 10:15
OPERATOR: Varra Companies, Inc.	OPERATOR REPRESENTATIVE: Garrett Varra, Brad Janes	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$309,000.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Robert Zuber, P.E. Michael Cunningham	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: June 19, 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>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>N</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>Y</u>	

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

INTRODUCTION

The Western Sugar Project was inspected on May 16, 2023 by Rob Zuber and Michael Cunningham with the Division of Reclamation, Mining and Safety (Division/DRMS) as part of the Division's monitoring inspection program. The site was previously inspected by the Division on December 12, 2019. Garrett Varra and Brad Janes with Varra Companies, Inc. (Varra) were present during the inspection. The weather was warm and clear at the time of the inspection, and the ground was muddy in spots.

BACKGROUND

The site is a 112c operation permitted for 102.87 total permit acres. The approved Mining Plan states that active highwalls will be mined at 1.25H:1V for the upper 30 feet and at 3H:1V below 30 feet. The approved Reclamation Plan states slopes above the anticipated final water level of the basins and within 10 feet below the anticipated final water level of the basins will be graded at 3H:1V or flatter. The slopes below 10 feet from the anticipated final water level of the basins may approach 2H:1V.

An amendment application (AM-01) was approved by the Division on May 23, 2016 revising the post-mining land use from Industrial/Commercial to Developed Water Resource with the installation of clay liners in four mining tracts. If constructed, the four reservoirs would combine for a total water surface area of approximately 63 acres. The plan allows for flexibility, and some cells may not be constructed. During the inspection, Mr. Varra indicated that at least one tract will be filled in rather than become a reservoir.

The processing plant in the northeastern portion of Tract A entails mobile equipment; there are no concrete footers that will require demolition at the time of reclamation. The concrete batch plant at the southwest corner of Tract A is permanent; the area has been zoned as industrial by Weld County.

Prior to seeding with a mix of more than ten desirable grass species and a forb species (strawberry clover), a minimum of six inches of topsoil will be replaced on upland areas and on the shorelines above the anticipated final water level of the reservoirs.

OBSERVATIONS

The banks of the Cache la Poudre River at the north end of the site are stable. The general site operation and layout was consistent with the approved permit. The permit boundaries are evident at the site. The entrance sign was not observed, as the site was accessed through another site, but in the previous Division inspection it was observed. Garrett Varra indicated that the sign remains in place.

The site is divided into four mining tracts (Tract A, Tract B, Tract C and Tract D), and each is discussed below.

Tract A

An active processing plant and product stockpiles were observed in the northeastern portion of the tract. The concrete batch plant remains in the southwest corner of the tract. An active mining pit, approximately 20 feet deep, encompasses a large portion of the tract and extends to the west side, almost to Tract B.

Tract B

Mining excavation in Tract B is complete. Mr. Varra stated that the clay liner for the tract has been constructed and leak tested. (The Division has received the documentation of the leak test by the Division of Water Resources.) The reclaimed slopes appear to be 4H:1V or flatter and appeared stable. No erosion features were observed. The tract was partially filled with water, approximately 10 – 15 feet below the top of the reservoir slope. The slopes have not been topsoiled or seeded. Volunteer vegetation on the slopes is sparse.

Tract C

Mining excavation in Tract C is complete. Mr. Varra indicated that it is not certain if this tract will be filled or will become a reservoir. The slopes of the pit in this tract have not been graded and are very steep in some locations (much steeper than 3H:1V). The pit contained significant water, but it was at least ten feet from the top of bank.

Per the TR-05 application (approved December 2018), the highwall in this tract has two portions:

- The upper portion has an average height of 35.5 feet, and the average slope is 1.75H:1V.
- The lower portion has an average height of 15 feet, and the slope is 3H:1V.

Tract D

Mining excavation in Tract D is complete. Much of the tract has been backfilled with imported material. Varra Companies has submitted an inert fill notice in accordance with Rule 3.1.5(9) as part of the original permit application and also with the amendment approved in 2016 (AM-01). A small pit remains, and it contained exposed groundwater, approximately 15 feet below the top of the slope, at the time of the inspection.

Per the TR-05 application, the highwall in this tract has two portions:

- The upper portion has an average height of 32 feet, and the average slope is 1.5H:1V.
- The lower portion has an average height of 13 feet, and the slope is 3H:1V.

FINANCIAL WARRANTY

The Division currently holds a financial warranty in the amount of \$309,000.00. The financial warranty amount was approved by the Division in 2019 as part of the review of a surety reduction (SR-01). 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.

PHOTOGRAPHS



Tract A, extraction on west side



Tract B, looking west



Tract C, looking southwest



Tract D



Cache la Poudre River adjacent to Tract D



Tract A, processing on east side

Inspection Contact Address

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12618 County Road 13
Longmont, CO 80504

CC: Michael Cunningham, DRMS