



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: The Shores	MINE/PROSPECTING ID#: M-1998-013	MINERAL: Sand and gravel	COUNTY: Weld
INSPECTION TYPE: Surety-Related Inspection	WEATHER: clear	INSP. DATE: June 15, 2023	INSP. TIME: 11:30
OPERATOR: Bestway Concrete Company	OPERATOR REPRESENTATIVE: Chris Oestreich	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE:	BOND AMOUNT: \$3,439,500.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Eric Scott	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: June 20, 2023

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: Revegetation

PROBLEM/POSSIBLE VIOLATION: Problem: Tamarisk (salt cedar) trees and other noxious weeds are present within or have volunteered into the permit area and are becoming established. This is a problem for failure to employ weed control methods for a state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

CORRECTIVE ACTIONS: The operator shall either implement the existing weed control plan, or develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. Provide documentation to DRMS that Tamarisk have been removed by the corrective action date.

CORRECTIVE ACTION DUE DATE: 11/09/23

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The mine identification sign posted at the entrance of the mine site contains the wrong DRMS permit ID (see attached photo). This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule.

CORRECTIVE ACTIONS: 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. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

CORRECTIVE ACTION DUE DATE: 7/31/23

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 7/31/23

OBSERVATIONS

This was a surety verification inspection conducted by Eric Scott of DRMS for Revision SO3 (Succession of Operator from Bestway Concrete Company to Burnco) which was submitted by Burnco on May 24, 2023. The application was deemed incomplete by DRMS with a completion due date of July 25, 2023.

DRMS arrived on site at approximately 11:30 am, and noted that the permit number was incorrect on the site identification sign present at the site entrance. This has been noted as a problem and will need to be corrected by the corrective action date given above (7/31/23). DRMS also noted the continued presence of tamarisk and other noxious species with the permit that will need to be eradicated prior to release of the site.

Mining activity at the site was taking place in the southwest "pond A" area of the permit at the time of this inspection. Ponds B through D of the initial permit have been mined out and are reclaimed with the exception of the surrounding vegetation. The area permitted in AM2 surrounding pond E will also require additional finishing earthwork and grading prior to revegetation. To date, no mining activity has been initiated in the area permitted in AM3 (ponds 1,2 and 3) on the north side of the county road.

It was noted during the inspection that the extraordinary rainfall at the site earlier in the week has resulted in damage to the north side of pond C lined pit wall between the pit and the irrigation ditch. Overtopping of the ditch into pond C has resulted in damage to the pit wall as shown in the attached photos 3 and 4. This damage will need to be repaired as soon as possible as further erosion in this area will result in capture of the ditch into the pit. It is not known at this time if the approved slurry wall of this cell has been compromised.

DRMS currently holds a \$3,439,500.00 reclamation bond for this site, which includes costs for installation of several of the existing and proposed slurry walls, therefore, no bond increase will be required for SO3 upon approval. However, DRMS expects that the existing damage to the pit slope noted will be carefully evaluated, and repaired, as soon as practically possible.

Inspection Contact Address

Chris Oestreich
Burnco
301 Centennial Dr.
Milliken, CO 80543

PHOTOGRAPHS



Photo 1 – Sign with incorrect information at site entrance – this identification sign should be removed.



Photo 2 – Sign with incorrect information at site entrance – DRMS permit number needs to be corrected.



Photo 3 – damage to north shore of Pond C due to overtopping of ditch into pond during recent heavy rains. This damage will need to be repaired as soon as possible so ditch is not captured by pit.



Photo 4 – damage to north shore of Pond C due to overtopping of ditch into pond during recent heavy rains. This damage will need to be repaired as soon as possible so ditch is not captured by pit.

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

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