



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: Upland Gravel	MINE/PROSPECTING ID#: M-2001-088	MINERAL: Gravel and sand	COUNTY: Mesa
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: July 5, 2023	INSP. TIME: 14:30
OPERATOR: Upland Gravel, LLC	OPERATOR REPRESENTATIVE: Jason Rinderle	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$61,304.40	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: DRMS	JOINT INSP. AGENCY: None	
INSPECTOR(S): Amy Yeldell	INSPECTOR'S SIGNATURE: <i>Amy Yeldell</i>	SIGNATURE DATE: July 21, 2023	

The following inspection topic(s) were identified as having a **Problem (PB)**, which includes correction actions and a deadline whereby the Operator must demonstrate compliance with the conditions of the Permit and the requirements of the Act and Rules. Failure to address the corrective actions by the deadline may cause the Division to escalate the Problem to a **Possible Violation (PV)** and schedule the issue for formal hearing before the Mined Land Reclamation Board (Board).

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>Y</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>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>PB</u>	(SP) STORM WATER MGT PLAN---- <u>NA</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>Y</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**

INSPECTION TOPIC: Gen. Compliance With Mine Plan

PROBLEM: The current mine and reclamation plans needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI) and 116 (1). The operator must provide sufficient information to describe or identify how the operator intends to conduct and reclaim the operation.

CORRECTIVE ACTIONS: The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine and reclamation plan to reflect existing and proposed activities by the corrective action date. Specifically the maximum disturbance needs to be updated. As well as the maximum unreclaimed lands.

CORRECTIVE ACTION DUE DATE: 9/22/23

INSPECTION TOPIC: Signs & Markers

PROBLEM: The mine identification sign posted at the entrance of the mine site depicted incorrect information. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule. 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.

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 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: 9/22/23

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety's (Division) normal monitoring program. Upland Gravel is a 112c permitted that consists of 29.4 acres. The site is located at the intersection of Upland Rd and 35 Road, four miles southwest of Palisade, Colorado in Mesa County. Amy Yeldell of the Division conducted the inspection. Jason Rinderle represented Upland Gravel, LLC, the Operator.

Acid And Toxic Materials:

All fuel is stored within secondary containment (Photo One). The fuel storage is located in Unit 1 adjacent to the scale. No other hazardous or toxic materials were observed on site.

Backfilling and Grading:

The reclaimed area includes portion within Units 1,3, 4, 5, 6 and 7. This area has gentle slopes that are no steeper than a 3H:1V. All other mining slopes are approximately 1H: 1V and average 28 feet high. Staff estimates that 1600 LF of highwall requires regrading. Most grading on site can be cut/fill with limited amounts of backfill adjacent to the permit boundary (Photos Two and Three). The south and east slopes will daylight out.

Based on the 2022 annual report nearly the entire pit floor has been backfilled (11 ac) with the minimum of 2 ft. over top of bedrock (shale). Only the newly mined areas (approx. 2 ac) will require overburden replacement. Excess overburden for grading is stored in the Northwest corner of the pit.

Explosives:

Explosives are not used at this mining operation.

Financial Warranty:

The Division currently requires a financial warranty amount of \$61,304 for this site. The bond was last recalculated with SR-1 in 2014. In an effort to ensure the Financial Warranty adequately reflects the actual current cost of fulfilling the requirements of the approved reclamation plan the Division will be updating the reclamation cost estimate. If the current bond is found to be insufficient the Division will send a Notice of Surety Increase under a separate cover.

Hydrologic Balance:

This pit is located above the water table. There is a riparian area within the permit boundary but outside of the affected lands on the southeast side. According to Mr. Rinderle some water does infiltrate from the northern highwalls which are adjacent to irrigated croplands. This water infiltrates within the pit and does not discharge. A small amount of water was observed on the western side of the pit, where trucks are washed out into and excavated pit (Photo Four).

Per the approved reclamation plan a 2 foot deep (30' x 330') catch basin shall be constructed in Unit 1 and 2 upon completion of final reclamation to collect excess storm run-off and sedimentation so that this site has no run-off. This feature has not been constructed to date.

Gen. Compliance With Mine Plan:

The site was inactive at the time of the inspection however evidence of recent activity was observed. The site is nearly mined out to the north. Future mining is to the northeast in Unit 9. A crusher and loader were on site (Photo Five). This site only conducts crushing and screening operations, no washing of material.

This pit has a maximum disturbance of 8 ac (Mine Plan) and no more than 4 acres unreclaimed at any given time (Reclamation Plan). According to the last annual report and staff estimates approximately 15 acres have been affected to date. That includes 2.1 acres of reclaimed lands. This is cited a problem for failure to follow the Mining and Reclamation Plan. Please revise the Mining and Reclamation Plans in the form of a Technical Revision to accurately reflect the current operation by the corrective action due date. The maximum disturbance specified within the Mining Plan needs to be updated as well as the total amount unreclaimed specified in the Reclamation Plan.

Off-site Damage:

No off-site damage has occurred, all disturbances are contained within the permit boundary and affected lands.

Other:

There have been no recent revisions to this permit. The last major revision was the conversion application in 2005. There have been no acreage reductions (releases) to date.

In 2013 inert fill was cited as an inspection problem. An affidavit was submitted and the site is approved for import of inert fill. No Technical Revision to the Mining Plan was done to incorporate this provision. If a revision is done in the future import of inert fill should be included.

****Note that several changes may be requested under one Technical Revision request with the required \$216 revision fee.**

Right of Entry:

Division staff verified that Upland Gravel, LLC remains the landowner of all affected lands and therefore is in compliance with Rule 6.3.7 by maintaining its Legal Right of Entry.

Reclamation Success:

This site as a post mining land use of Residential. Lands shall be stabilized with some vegetation in order to control erosion. With the entire site generally sloping the southeast. Mr. Rinderle indicated that they may choose to create a flat pad with perimeter walls sloped to a 3H: 1V or less. Come final reclamation, the Reclamation Map may need to be revised to reflect the reclaimed site conditions prior to a release. Overall all slopes shall be a 3H: 1V or less.

An area has been reclaimed in the southeast corner adjacent to ravine. This areas is separated by a small berm from the rest of the active mine site. It includes Unit 1, 3, 4, 5, 6 and 7. The Division estimates based on satellite imagery this area is approximately 2.1 ac. Vegetation in this area is sparse however given the post mine land use the cover is sufficient (Photo Six and Seven). If the Operator wishes to remove this area from the permit boundary they shall submit an acreage reduction request. And provide updated maps with the proposed permit boundary post-release.

Revegetation:

The Reclamation Plan calls for use of fertilizer, the Division would suggest revising the reclamation plan to remove this requirement. Fertilizer in a dry rangeland setting can be more harmful than beneficial as it promotes noxious weeds.

Some noxious weeds were observed on site. The operator is encouraged to more diligently treat and control for the spread of noxious weeds.

Support Facilities On-site:

A Scale and scale house are located within Unit 1. No other buildings are located within the permit.

Signs and Markers:

A mine sign was posted at the entrance to the mine site as required by Rule 3.1.12(1). The information depicted was incorrect, the Operator is now Upland Gravel, LLC (Photo Seven). This is cited as an inspection problem pursuant to Rule 3.1.12(1). Please update the mine sign and send in photographic documentation by the corrective action due date. The permit boundary of the affected land was clearly delineated by a wire fence and fence posts pursuant to Rule 3.1.12(2).

Topsoil:

Topsoil is stockpiled in the northwest corner of the pit. Additional landscaping topsoil material was imported. As a reminder all topsoil stored for more than 180 days shall be stabilized (seeded) to prevent deterioration. For this permit the temporary seed mix is the same as the permanent mix.

Responses to this inspection report should be directed to: Amy Yeldell at the Division of Reclamation, Mining and Safety, Rm 215, 1001 E 62nd Ave, Denver Co 80216. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Inspection Contact Address

Jason Rinderle
Upland Gravel, LLC
3202 Springfield Rd
Grand Junction, CO 81503

Enclosure

EC: Travis Marshall, Senior EPS, Grand Junction DRMS

PHOTOGRAPHS











Photo 8: Previous Operator name depicted on sign.