



STATE OF  
COLORADO

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## M1980136, Chambers Pit, March 2023 Inspection Report

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Simmons - DNR, Leigh <leigh.simmons@state.co.us>

Wed, Apr 26, 2023 at 9:33 AM

To: "Burkey, Jason K (CRH Americas Materials)" <jason.burkey@na.crh.com>, "Bartuska, Tyra L (United Companies)" <tyra.bartuska@unitedco.com>

The report of the 23 March, 2023, inspection of the Chambers Pit is attached. During the review of the permit that followed the inspection some problems were noted that will require action on your part; details are given in the report.

Feel free to contact me by phone or email if you'd like to discuss further.

Leigh Simmons  
Environmental Protection Specialist



**COLORADO**  
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Department of Natural Resources

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## 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.

<b>MINE NAME:</b> Chambers Pit	<b>MINE/PROSPECTING ID#:</b> M-1980-136	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Eagle
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> March 23, 2023	<b>INSP. TIME:</b> 10:00
<b>OPERATOR:</b> Oldcastle SW Group, Inc. dba United Comp County	<b>OPERATOR REPRESENTATIVE:</b> Scott Barney	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$694,934.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Leigh Simmons	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> April 26, 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:** Gen. Compliance With Mine Plan

**PROBLEM/POSSIBLE VIOLATION:** Problem #1: The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 and Rules 6.4.3 and 6.4.4. The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation.

**CORRECTIVE ACTIONS:** By the corrective action due date, the operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mining plan in accordance with Rules 6.4.3 and 6.4.4 to reflect existing and proposed activities. Additionally, the revision must include an updated mining plan map that meets the requirements of Rules 6.2.1(2) and 6.4.3. This map must unambiguously establish the areas to be mined. This will help to resolve any confusion caused by differences between the maps approved with TR-3, and the text of the TR-4 application cover letter.

**CORRECTIVE ACTION DUE DATE:** 6/26/23

**INSPECTION TOPIC:** Gen. Compliance With Reclamation Plan

**PROBLEM/POSSIBLE VIOLATION:** Problem #2: The current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 and Rules 6.4.5 and 6.4.6. The operator must provide sufficient information to describe or identify how the operator intends to conduct reclamation.

**CORRECTIVE ACTIONS:** By the corrective action due date, the operator shall submit a Technical Revision, with

the required \$216 revision fee, to update and clarify the current approved reclamation plan in accordance with Rule 6.3.4 to reflect existing and proposed activities. Additionally, the revision must include an updated reclamation plan map that meets the requirements of Rules 6.2.1(2) and 6.4.6. This corrective action may be submitted with the same Technical Revision required for Problem #1 of this report.

**CORRECTIVE ACTION DUE DATE:** 6/26/23

## **OBSERVATIONS**

This inspection was conducted as part of the normal monitoring program established by the Colorado Division of Reclamation, Mining and Safety (Division). The inspection was conducted by Leigh Simmons of the Division, and accompanied by Scott Barney of United Companies (a subsidiary company of the permittee). The Chambers Pit is a 112c operation with a total permit area of 135 acres, located west of Eagle, with access off Fairgrounds Road. There was no activity at the site at the time of the inspection. The pre-mining land use of the site was Cropland, and, following the approval of AM-1, the site will ultimately be reclaimed to a land use of Recreation. Per the most recent Annual Report, 90 acres are currently affected and 45 have been backfilled, spread with 10" of topsoil, and seeded. No increase in disturbed acres were anticipated in 2023, and another 45 acres was expected to be reclaimed. The locations of photos taken during the inspection are shown on the screenshot of the field map.

### **Financial Warranty:**

The Reclamation Cost Estimate was last updated in 2010. The Division needs to update the estimate with current unit costs, but this can't be completed until the inconsistencies with the mining and reclamation plans have been corrected.

### **Gen. Compliance with Mine Plan:**

The currently approved mine plan and reclamation plan, and associated maps, are from 2010 and were approved with TR-3 which permitted the mining of "Area F".

An application for TR-4 was submitted in 2016, but no correspondence other than the initial application is recorded in the archive. It is not clear that a decision to approve the application was made, however, since the Division took no action within 30 days of the filing date, the revision is considered automatically approved, per Rule 1.9.1.

The cover letter of the TR-4 application requests the removal of "Area F" from the mine plan, however no revised pages or maps were submitted with the TR-4 application, which means that there is no longer a clearly defined mining or reclamation plan. The two problems cited above are the result of this error.

Links to relevant documents are given below:

[TR-3 application](#)

[2010 inspection report and reclamation cost estimate](#)

[TR-3 approval](#)

[TR-4 application](#)

Reclamation Success:

Given the snow cover, an assessment of reclamation success could not be made.

Signs and Markers:

The mine ID sign was in place at the site entrance. Most of the site was fenced and secured behind a locked gate. Some land within the permit boundary (Fairgrounds Road, the baseball fields and the parking area to the east) was outside of the secured fenced area and was accessible by the public.



Figure 1: Inspection map



## PHOTOGRAPHS



Figure 2: Mine ID sign (a)



Figure 3: Reclaimed land at the west of the permit area (b)





Figure 4: View to the north west (b)



Figure 5: View to the north east, showing baseball fields (b)

## **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>PB</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>PB</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>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

### **Inspection Contact Address**

Scott Barney  
Oldcastle SW Group, Inc. dba United Companies of Mesa County  
2273 River Road  
Grand Junction, CO 81502

Enclosure

CC: