



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: Nissen Farm Resource	MINE/PROSPECTING ID#: M-2003-001	MINERAL: Sand and gravel	COUNTY: Weld
INSPECTION TYPE: Surety-Related Inspection	WEATHER: Clear	INSP. DATE: November 15, 2023	INSP. TIME: 11:30
OPERATOR: BURNCO Colorado, LLC	OPERATOR REPRESENTATIVE: Devon Glosser	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: None	BOND AMOUNT: \$547,800.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Eric Scott	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 17, 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 Approved Mine and Reclamation Plan

PROBLEM/POSSIBLE VIOLATION: Problem:

The current mining plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation.

Failure to follow approved reclamation plan, or current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 (1). The operator must follow approved reclamation plan or provide sufficient information to describe or identify how the operator intends to conduct reclamation.

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 plans to reflect existing and proposed activities by the corrective action date.

CORRECTIVE ACTION DUE DATE: 1/31/24

INSPECTION TOPIC: Financial Warranty

PROBLEM/POSSIBLE VIOLATION: Problem: The financial warranty has not been modified since 2008 and is no longer accurate/adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.

CORRECTIVE ACTIONS: The operator shall submit adequate financial warranty, as determined by the Division based on the information provided in the required TR submittal. The Division will be sending a separate surety increase notice to the operator regarding the increase of the financial warranty. The operator will have 60 days from the date on the surety increase notice to post the additional financial warranty.

CORRECTIVE ACTION DUE DATE: 1/31/24 for TR submittal, TBD for surety increase, based on DRMS SI notice.

OBSERVATIONS

This was a surety related inspection conducted by DRMS at the BURNCO Nissan Farm Resource site. BURCO has completed the SO of the site from Bestway Concrete which was approved by DRMS on October 25, 2023. This site was last inspected in March of 2023. There are 134.21 acres currently permitted at this 112c site. The inspection was conducted by Eric Scott of DRMS. The DRMS representative met with permittee representative Devon Glosser 11:30. The site is accessed directly from the east side of Weld County Parkway/E 18th St on the south bank of the Platte River. The site identification sign was noted at the site entrance, and the permit boundary is defined by existing fencing.

The SEO has previously approved the slurry wall that has been installed at the site, and the site has been used by the Central Conservancy District as "in-ground water storage". Mining excavation is continuing to move from west to east, and the large stockpile of material observed in March of 2023 has been removed. The wash and processing plant is currently near the center of the site and the product stockpiles are in the east-center area of the site. Large stockpiles of overburden material are currently present along the north side of the permit, however that material is being removed from the site through sales. All site activity (with the exception of the westernmost overburden stockpile) was noted to be taking place within the approved slurry wall which was marked with bright red fiberglass slats.

DRMS notes at this time, based on this inspection, ongoing mining and therefore subsequent reclamation activity has diverged from the mining and reclamation plans approved in 2003. To facilitate the DRMS calculation of an accurate reclamation bond for the site, BURNCO is required to submit a TR no later than the corrective action date shown (1/31/24) to update the mining and reclamation plans for this site.

No other compliance issues were noted at the time of this inspection. DRMS would note that any overburden stockpiles should be stabilized and seeded to prevent excessive windblown dust. Weed control will need to be implemented on overburden stockpiles until they are removed from the site.

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>N</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>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>NA</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>PB</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>NA</u>	(ST) STIPULATIONS----- <u>NA</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

Inspection Contact Address

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