



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: Menzer Quarry	MINE/PROSPECTING ID#: M-1976-009-HR	MINERAL: Granite, granite gneiss	COUNTY: El Paso
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: February 21, 2024	INSP. TIME: 13:00
OPERATOR: Schmidt Construction Company	OPERATOR REPRESENTATIVE: Jeff Jacoby	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Surety Related	BOND CALCULATION TYPE: Partial	BOND AMOUNT: \$667,738.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Hunter Ridley Timothy Cazier, P.E.	INSPECTOR'S SIGNATURE:  	SIGNATURE DATE: February 22, 2024	

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: Financial Warranty

PROBLEM/POSSIBLE VIOLATION: Problem: The current mining and reclamation plans need 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.

CORRECTIVE ACTIONS: The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the currently approved mining and reclamation plans to reflect existing and proposed activities by the corrective action date.

CORRECTIVE ACTION DUE DATE: 5/27/24

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----- PB	(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>Y</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>N</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

OBSERVATIONS

This site visit was conducted both as part of the regular monitoring program and as a follow up inspection related to the potential bonding issues noted in the site's last inspection report, dated August 29, 2023. The Permittee (Schmidt Construction) was represented by Jeff Jacoby, Dan Chavez, Mark Heifner, and Mahkayla Selby. Hunter Ridley and Tim Cazier represented the DRMS. The Menzer Quarry is accessed from Turkey Canyon Rd about 16 miles south of Colorado Springs. The access road is approximately 2.5 miles from Hwy 115 to the active pit area. This is a 112c granite mine. It was operating at the time of the inspection. A mine sign was posted in accordance with Rule 3.1.12 (Photo 1).

The most recent bond estimate for the site was updated by DRMS in 2021. Currently, the Division hold a bond of \$667,738 which includes 82.83 acres of reseeding. Recent unit costs have increased significantly. DRMS provided Schmidt Construction with a draft bond update to review. This updated amount was \$829,527. Supplemental information provided with the 2023 annual report indicated a planned expansion of the mining area into the southeast corner of the pit (Photo 2). As indicated in the supplemental information, this area is already disturbed by some old roads that were cut in when the 60-foot benches on the south side of the quarry were mined years ago. It is unclear from reviewing the AM-4 reclamation plan if this area was accounted for in the reclamation cost estimate. Through this follow up inspection, it was decided that Schmidt would need to submit a more detailed mining and reclamation plan for the southeastern corner in order to determine if the currently held bond amount is sufficient to cover all planned reclamation for Phase 1 of the operation.

For the purposes of tracking this item, the Division will cite this as a problem with the corrective action of submitting a Technical Revision to the Division to update the Mining Plan to include additional detail on the mining and reclamation plan for the southeast corner in question. Schmidt Construction representatives and DRMS also discussed submitting a blasting plan for the site which includes updated information about the site's new process of pre-splitting their shots. Attached below is DRMS's guide for formulating this kind of report.

Photographs taken during the inspection have been included below. Responses to this inspection report should be directed to: Hunter Ridley at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 720-868-7757 or via email at hunter.ridley@state.co.us.

PHOTOGRAPHS



Photo 1: A mine sign was posted 1 mile up-road from the scale house.



Photo 2: View southeast of the southern corner to be eventually mined.

Inspection Contact Address

Jeff Jacoby
Schmidt Construction Company
2635 Delta Dr.
Colorado Springs, CO 80910

Key Elements of a Blasting Plan

- I. Blast Schedule Notification:
 - a. Name, address & phone number of Operator;
 - b. Identify where blasting will occur;
 - c. Day(s) and time(s) of blasting;
 - d. Methods used to control access;
 - e. Outline warning signals (e.g., sirens, horns, etc.);
 - f. Schedule distribution (who is notified: e.g., workers, residents, local governments, etc.).
- II. Pre-Blast Surveys – where agreed to and approved by structure owners:
 - a. Generally for structures within one half mile of the blast area;
 - b. Establish a pre-blasting record of existing structure(s) condition;
 - c. ID structures or contents sensitive to blasting.
- III. Blast Plan:
 - a. Limits on ground vibration;
 - b. Limits on airblast;
 - c. Methods used to control adverse effects of blasting;
 - d. Description of monitoring systems to be used and where to be set up;
 - e. Blasting protocol/procedure;
 - f. Anticipated typical blast design (this information can have a range so as not to require a specific design for each blast:
 - i. Blast purpose – what product is expected (e.g., riprap, crushed aggregate, etc.);
 - ii. Number, spacing, diameter and depth of holes;
 - iii. Type and amount of stemming material;
 - iv. Blasting agent and amount per hole; and
 - v. Type of delay detonator and delay periods expected.
 - g. Location(s) of blast monitoring.
- IV. Commit to Generating and Filing a Blast Report - The DRMS requires all Operators using explosives to complete a blasting report for each shot. The report must be retained by the Operator for at least 3 years and be available for inspection by the DRMS on demand. The record shall contain the following data, but should not be submitted as part of the Blasting Plan:
 - a. Location date and time of blast;
 - b. Name, signature and license number of blaster-in-charge;
 - c. Identification, direction and distance in feet from the nearest blast hole to the nearest potentially affected structure, such as any dwelling, school, church, or community or institutional building either:
 - i. not located in the permit area; or
 - ii. Not owned nor leased by the person who conducts the mining operations.
 - d. Weather conditions, including: temperature, wind direction, and approximate velocity;
 - e. Type of material blasted;
 - f. Sketches of the blast pattern including number of holes, burden spacing, and delay pattern. Sketches shall also show decking, if holes are decked to achieve different delay times within a hole;

- g. Diameter and depth of holes;
- h. Types of explosives used;
- i. Total weight of explosives used per hole and maximum weight of explosives used per 8-millisecond period;
- j. Initiation system;
- k. Type and length of stemming;
- l. Mats or other protections used;
- m. Type of delay detonator and delay periods used;
- n. Number of persons in the blasting crew; and
- o. Seismographic records where required including:
 - i. Type of instrument sensitivity and the calibration signal of the gain setting or certification of annual calibration;
 - ii. Exact location of instrument, the blast date and time, and the instrument distance from the blast;
 - iii. Name of the person and firm taking the reading;
 - iv. Name of the person and firm analyzing the seismographic record; and
 - v. The vibration level recorded