

April 22, 2024

Colorado Division of Reclamation, Mining, and Safety  
1313 Sherman St, Rm 215  
Denver, CO 80203

Delivered Via Email

**RE: Anderson Pit, File No. M-2005-021,  
July 18, 2023 Inspection Report – Noxious Weed Control**

Robert Zuber,

Please accept this response on behalf of United Companies for the July 2023 inspection reporting the presence of noxious weeds at the site. This issue was initially addressed in the TR-02 application submitted in November 2023. This letter serves as proof of implementation of the weed-control plan. The inspection item is provided, with the response below:

### **Inspection Report**

*Weeds were seen around the site and need to be addressed. These include tamarisk, Russian olive, knapweed (near the irrigation ditch that runs through the middle of the site), and Canada thistle (at the northern settling pond).*

#### **INSPECTION TOPIC:** Revegetation

**PROBLEM/POSSIBLE VIOLATION:** *Problem: There are state-listed noxious present on site. This is a problem for failure to employ weed control methods for 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:** *Implement approved weed control plan and provide proof to the Division that this has been done. If a weed control plan is not already in place, the operator shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.*

**CORRECTIVE ACTION DUE DATE:** 4/26/24

## **Response & Corrective Actions**

The weed control plan is unchanged, and was provided in the TR-02 application for reference. Steps from the plan were implemented after the inspection report including the following actions:

- Monitoring of the permit area to identify areas with weed infestations: around the northwest settling pond, and near the irrigation ditch running east-west through the center of the property.
- Herbicide treatments of the noxious weeds across 4 acres, including the two specific areas listed, on 4/2/23 and 9/17/23. Documentation of these treatments are attached with this letter.
- More herbicide treatments are planned to take place later in 2024.

Photos were taken on 4/19/2024 showing the current conditions of the weeds on site. They are provided below.

## Irrigation Ditch Photos













## Settling Pond Photos





















Please feel free to contact me with any questions.

Regards,

A handwritten signature in black ink that reads "Sydney Connor". The signature is fluid and cursive, with the first name "Sydney" and last name "Connor" clearly distinguishable.

Sydney Connor  
Lewicki & Associates, PLLC  
(719) 323-9867  
[sydney@lewicki.biz](mailto:sydney@lewicki.biz)



## Attachments

4/2/23 and 9/17/23 Herbicide Treatment Documentation



# Eco-Rx Herbicide Application Record

Name United Anderson Date 4/2/23  
 Property address Delta

Target Species RT, Kochia, mustards

Location (general) Delta  
 Contact Tyva

Wind Speed / Direction Calm Start Noon End 147 NW / 147 108 W  
 Temp 45 140 144

Calibration Rate 15 gal / Ae  
 Application Type Spot  
 Site Type Row 1 Furrow 1 Row  
 Equipment # R, B

1.) Herbicide Name Resurva  
 Manufacturer Bayer  
 EPA Reg. # 432-1609  
 Application Rate 50 / Ae  
 Dilution Rate .04 a AI / gal

2.) Herbicide Name Antares  
 Manufacturer Helena  
 EPA Reg. # 82534-5905  
 Application Rate 12 a / Ae  
 Dilution Rate .32 a AI / gal

3.) Herbicide Name Ramp Pro  
 Manufacturer Monsanto  
 EPA Reg. # 93236-5  
 Application Rate 32 a / Ae  
 Dilution Rate .87 a AI / gal

Surfactant Name ASO  
 Manufacturer Helena  
 Application Rate 16 a / Ae

Dye Used Yes ☒ No ☐ OK  
 Start Time 5:30a End Time 5:00p

Spray Unit Leak Checked/ Clean P.S. Initials

Site	Start Time	End Time	Begin Spray	End Spray	Oz #1	Oz #2	Oz #3	Oz S	Gals. Carrier	Veg. Stage	Soil Status	Acres Rx
Active p.t. Row Ready mix	5:30a	5:00p	Entry gate	Dr. watering pond	70	168	448	224	210	Pre-ros	Dry	14

Comments:

Total Acres Treated 14 Total Possible NPDES \_\_\_\_\_

Applicator Name Paul Schvoiner

Applicator Signature [Signature] Date 4/2/23



Name Up. tael (Anderson) Date 9/17/23  
Property address Not a  
\_\_\_\_\_  
\_\_\_\_\_  
Target Species RK, MT, BT, CM

2.) Herbicide Name Escort  
 Manufacturer Bayer  
 EPA Reg. # 352-439  
 Application Rate 1.5 oz / Ac  
 Dilution Rate .04 oz AI / gal

Location (general) Salt  
Contact Tyara  
Start Noon End  
Wind Speed / Direction Calm / 072 W / 276 W  
Temp 70 / 78 / 80

3.) Herbicide Name \_\_\_\_\_  
 Manufacturer \_\_\_\_\_  
 EPA Reg. # N/A \_\_\_\_\_  
 Application Rate \_\_\_\_\_  
 Dilution Rate \_\_\_\_\_

Calibration Rate 15 gal / Ac  
Application Type Spot  
Site Type Road 1 Road 1 Indust  
Equipment # B, W, Backpack

Surfactant Name Induce  
 Manufacturer Malvern  
 Application Rate 60x/100

1.) Herbicide Name Milestone  
 Manufacturer Corteva  
 EPA Reg. # 62719-519  
 Application Rate 6oz/Ac  
 Dilution Rate 16oz AI/gal

Dye Used Yes No 2x  
Start Time 6:00a End Time 4:00p  
Spray Unit Leak Checked/ Clean P.S. Initials

[illegible]

**Total Acres Treated** 4 **Total Possible NPDES** \_\_\_\_\_

Applicator Name Paul Schraiver

Applicator Signature [Signature] Date 9/17/23