




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: Mid-Continent LST	MINE/PROSPECTING ID#: M-1982-121	MINERAL: Limestone (general)	COUNTY: Garfield
INSPECTION TYPE: Multi Person Inspection	WEATHER: Clear	INSP. DATE: May 28, 2024	INSP. TIME: 13:40
OPERATOR: RMR Aggregates, Inc.	OPERATOR REPRESENTATIVE: Justin Olin	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$366,179.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Amy Yeldell Todd Jesse	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: June 4, 2024	

GENERAL INSPECTION TOPICS

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).

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>Y</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</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>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>NA</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>Y</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

ENFORCEMENT

INSPECTION TOPIC: Gen. Compliance With Mine Plan

MAINTENANCE ITEM (PROBLEM): 1) The safety berm is safeguarding feature which is not apart of the currently approved Mine Plan. Therefore this is cited as a maintenance item (problem). As per TR-6, RMR shall revise their Mine Plan to include the construction of safety berm. Include MSHA certification(s) of construction. 2) The Division does not have a blasting plan or any such details of how blasting will occur on site. Given the nature of the site additional assurances regarding blasting must be provided. Please submit to the Division a copy of the Blasting Plan as approved by MSHA.

CORRECTIVE ACTIONS: Both the revised Mine Plan to incorporate the safety berm and the Blasting Plan shall be submitted in the form of a technical revision with the required revision fee. The berm revision must be submitted within 30 days of this report. The Blasting plan must be submitted within 30 days of MSHA acceptance.

CORRECTIVE ACTION DUE DATE: 7/5/24

OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining and Safety's (Division) normal monitoring program. The Mid-Continent LST is a 112c permitted site that consists of 38 acres. The site is located in Garfield County approximately 1.2 miles north of Glenwood Springs, Colorado and is accessed via the Transfer Trail Road. Amy Yeldell and Todd Jesse of the Division conducted the inspection. Justin Olin represented RMR Aggregates, Inc. No representative from MSHA or BLM were present.

Availability Of Records:

According to Mr. Olin RMR sent an interim plan to MSHA in April 2024. The plan was for construction of the safety berm and proposed blasting in areas below (south) of the safety berm. The interim plan has not been approved by MSHA to date. At the time of the inspection, the Division had not received a copy of this request. The Division has since been provided with a copy of the request sent to MSHA. A copy of all modifications or request to MSHA shall also be submitted to DRMS to ensure consistence in permitting. Authorized changes under MSHA may require a sperate revision to the DRMS permit prior to implementation.

Acid and Toxic Materials:

All fuel is stored within secondary containment located on the Mill Bench (Photo One). Additional hydrocarbons are stored within the Mill Building on a spill pallet (Photo Two).

Financial Warranty:

The Division currently holds a financial warranty in the amount of \$366,179.00 for this site. The Division is in the process of updating the reclamation cost estimate to reflect recent site changes and inflation. Once finalized a Notice of Surety Increase will be sent under a separate cover.

Hydrologic Balance:

No exposed ground water was observed. Some pooling of water was still present from the heavy rains over the weekend. No seepage was observed between the contact points on the highwall face (Photos Three and Four).

Gen. Compliance with Mine Plan:

The site was active at the time of the inspection. There were two personnel working on site. Maintenance was being conducted. Overburden material was being excavated from the Production Bench and screened down the slope to the Mill Bench. To date the Production Bench has been excavated down approximately 20 feet. This practice will continue until only bedrock remains and all overburden is removed. Currently there is a distinction between the crest of the excavated production bench slope and the foot of the safety berm (Photos Five – Eleven).

Excavation of the Production Bench is twofold. It provides material to construct the safety berm. As well as it exposes previously buried parent material that is not covered under the C&D that resulted from the January 2023 rock fall event. Construction of the safety berm is expected to be completed by the end of May. The berm construction will need to be approved by MSHA. Once the berm is approved, if the blasting plan is accepted by MSHA, RMR intends to blast the newly exposed bedrock.

Construction of the Safety Berm was not authorized under TR-6. TR-6 only approved the Geotechnical Engineering Report. In the approval letter it expressly stated that:

“This TR does not authorize the Operator to initiate the methods discussed in the report. Nor does it allow the Operator to circumvent any other agencies requirements. A mine plan modification at a later date will be required to address specifically how the methodologies for safeguarding will be implemented on site.”

The safety berm is a safeguarding feature which is not a part of the currently approved Mine Plan. Therefore, this is cited as a maintenance item (problem). RMR shall revise their Mine Plan to include the construction the of safety berm. Including but not limited to providing all MSHA certifications of construction. Furthermore, though the site is approved for blasting the Division does not have a blasting plan or any such details of how blasting will occur on site. Given the nature of the site, this is a problem, additional assurances regarding blasting must be provided. Please submit to the Division a copy of the blasting plan as approved by MSHA. Both the revised mine plan to incorporate the safety berm and the blasting plan shall be submitted in the form of a technical revision with the required revision fee. The berm revision must be submitted within 30 days of this report. The Blasting plan must be submitted within 30 days of MSHA acceptance.

Reclamation Success:

No evaluation with regards to reclamation success were made during this inspection.

Revegetation:

Vegetation (including weeds) are just beginning to germinate. A hand full of noxious weeds, primarily thistle, were observed on site. Mr. Olin indicated that their weed sprayer has retired, and they are in the process of securing a new contractor. RMR was encouraged to reach out to the Garfield County Vegetation Management Department (Sarah LaRose, Program Coordinator, 970-945-1377 ext. 4315) for other potential vendors. As a reminder since this site is located on federal lands the sprayer must also have a PUP. At this time this is not cited as a maintenance item pursuant to Rule 3.1.10(6).

Support Facilities On-site:

The inside of the Mill was observed. No equipment was operational at the time. Crews were working to fabricate a longer conveyor belt. The bagging machine has been taken apart and remains stored in the corner.

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 correct/ up to date and the sign was of sufficient size (Photo Twelve). The permit boundary of the affected land was clearly delineated primarily by a wire fence pursuant to Rule 3.1.12(2).

Storm Water MGT Plan:

Some stormwater features appear to have been cleaned out. Given the heavy spring rains ditches and ponds will likely need additional maintenance throughout the season to maintain sufficient capacity and functionality.

Topsoil:

No changes to topsoil as compared to previous inspections.

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 970-210-1272 or via email at amy.yeldell@state.co.us

Inspection Contact Address

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Enclosure

CC:

Russ Means, DRMS
Jeff Fugate, AGO
Travis Marshall, DRMS
Todd Jesse, DRMS
Brittany Cocina, BLM
Joe Polson, MSHA

PHOTOGRAPHS



Photo 1: Fuel storage within secondary containment on the Mill Bench



Photo 2: Hydrocarbon storage within the Mill Building.



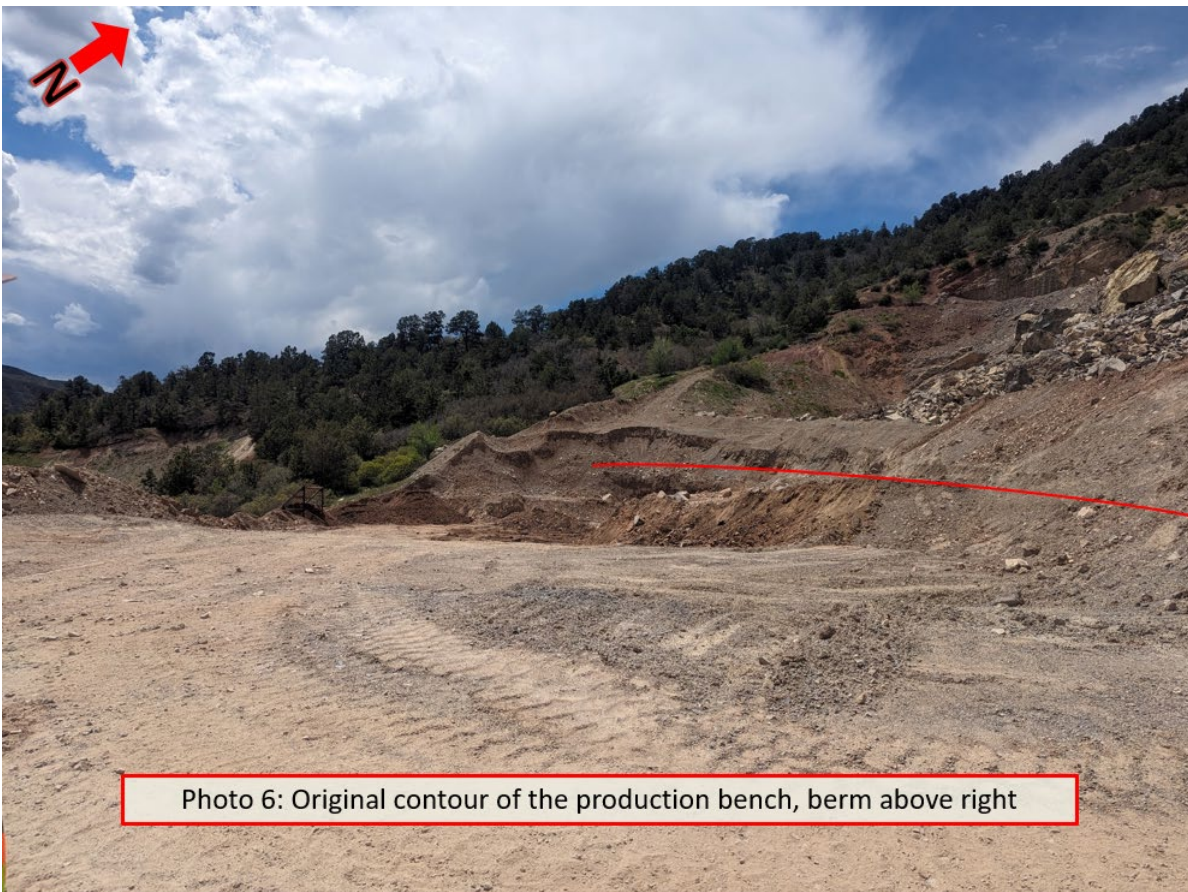




Photo 7: Overview of excavations on the production bench



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