



STATE OF
COLORADO

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M1997026 CarolAnn Pit, June 2024 Inspection Report

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Mon, Jul 15, 2024 at 11:14 AM

To: bob7777@centurytel.net

Bob,

Attached is the Inspection Report from the June 14th inspection. You'll see that a problem has been cited which will need your attention - this is as we have already discussed.

Please let me know if you have any questions after you've had a chance to review the report.

Leigh Simmons
Environmental Protection Specialist



COLORADO
Division of Reclamation,
Mining and Safety
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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.

MINE NAME: Carol Ann Pit	MINE/PROSPECTING ID#: M-1997-026	MINERAL: Sand and gravel	COUNTY: Eagle
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: June 14, 2024	INSP. TIME: 13:00
OPERATOR: Carol Ann Pit LLC	OPERATOR REPRESENTATIVE: Bob Newby, Mason Ewing	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$77,900.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Leigh Simmons	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: July 15, 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: Gen. Compliance With Mine Plan

PROBLEM/POSSIBLE VIOLATION: Problem: The currently approved reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 (1).

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

CORRECTIVE ACTION DUE DATE: 9/16/24

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 Bob Newby (permittee and operator). Mason Ewing, of Ewing Construction, was also present.

The Carol Ann Pit is a 112(c) operation with a total permit area of 30.25 acres, located immediately north-east of the town of Gypsum, accessed from Hwy 6. The site was not active at the time of the inspection. The locations of photos taken during the inspection are shown on the screenshot of the field map.

Backfilling and Grading:

Backfilling and grading of the site had been completed (according to the original reclamation plan). Slopes were gentle and regular, with no highwalls.

Financial Warranty:

The Division currently holds a reclamation bond of \$77,900 for the site. Given the unusual permitting situation, no attempt was made to re-evaluate the site-wide Reclamation Cost Estimate (RCE). The relatively small amount of work remaining to reclaim the site to pastureland is easily covered by the bond.

Gen. Compliance With Mine Plan:

The permit was last revised with Amendment 1, in 2022, which changed the reclamation plan and the post-mining land use from pastureland to mixed use (including industrial/commercial). The reason for Amendment 1 was to allow the western part of the site to be used for aggregate recycling by Ewing Construction. Since 2022 the situation has apparently changed and the aggregate recycling plan is no longer viable.

A considerable amount of work had already taken place to reclaim the site, and the work appeared to have been completed to a high standard, however it does not reflect the currently approved permit. As was discussed with Mr. Newby before and during the inspection, a problem has been cited and some permitting work will be necessary to abate it. The Division's position is that in this case the necessary changes to the reclamation plan can be accomplished with a Technical Revision (rather than an Amendment). The Technical Revision application packet should include a document from Eagle County showing their concurrence with the revised reclamation plan and post-mining land use.

Reclamation Success:

The eastern part of the site had previously been reclaimed to irrigated pastureland. It is clear from photos taken during the inspection as well as publicly available aerial imagery that hay is successfully being raised on the land.

Support Facilities On-site:

Since there is no longer an industrial/commercial post-mining land use for the site, the truck scale and building will need to be removed, and their foundations demolished, before the site will be eligible for bond release.

Topsoil:

According to Mr. Ewing, 6 inches of topsoil had been spread over the western part of the site. Some had been stockpiled, and some had been imported to the site.



Figure 1: Screenshot of Inspection Map showing permit boundary in purple and inspection features in green

PHOTOGRAPHS



Figure 2: Mine ID Sign (292)



Figure 3: Natural drainage (293)



Figure 4: Pasture on eastern part of site (293)



Figure 5: Regraded slope to south of pasture (293)



Figure 6: Southeast corner of permit area, looking west (294)



Figure 7: Southeast corner of permit area, looking south (294)



Figure 8: Irrigated pasture (295)



Figure 9: Northeast corner of permit area, looking north towards Eagle River (296)



Figure 10: (297)



Figure 11: Western pit (298)



Figure 12: Northern edge of western pit (299)



Figure 13: Western permit boundary (300)



Figure 14: Northwest of permit area (302)



Figure 15: Truck scale (303)

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>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</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>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>Y</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

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Gypsum, CO 81637