



STATE OF  
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

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## M2011007, Robert Fulton Reclamation Project, Inspection Report

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Fri, Sep 20, 2024 at 3:07 PM

Mr Drake, Mr Maher,

A report of the inspection I conducted at the Robert Fulton Reclamation Project on Tuesday is attached.

Please note that action on your part is required.

Feel free to contact me with any questions,

Leigh Simmons  
Environmental Protection Specialist



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

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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.

<b>MINE NAME:</b> Robert Fulton Reclamation	<b>MINE/PROSPECTING ID#:</b> M-2011-007	<b>MINERAL:</b> Silver and gold	<b>COUNTY:</b> Gilpin
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> September 17, 2024	<b>INSP. TIME:</b> 11:00
<b>OPERATOR:</b> Venture Resources, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Mason Drake	<b>TYPE OF OPERATION:</b> 110d - Designated Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$13,342.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Leigh Simmons	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> September 20, 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 current mine plan (and possibly reclamation 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.

**CORRECTIVE ACTIONS:** The operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date. Please update Exhibit E - Mining Plan Map(s) to show the location and owner(s) of all structures within 200 feet of the permit boundary. Also, if any of the structures located within the permit area will remain following reclamation, please update Exhibit E - Reclamation Plan Map to show all structures/features proposed to remain. The Division will need to verify that the structures proposed to remain are consistent with the approved Post-Mining Land Use (PMLU) for the site. For example, if there is a plan to build a residence on site, please provide demonstration that this use is compliant with local land use and zoning laws, as well as the approved PMLU. Finally, please provide structure agreements per Rule 6.3.12 for any structures located on or within 200 feet of the permit area that are not owned by Venture Resources, Inc.

**CORRECTIVE ACTION DUE DATE:** 10/25/24

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM/POSSIBLE VIOLATION:** Problem: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

**CORRECTIVE ACTIONS:** The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action date. The boundaries of the affected area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries.

**CORRECTIVE ACTION DUE DATE:** 10/25/24

## **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 Mason Drake of Venture Resources Inc. (permittee and operator).

The Robert Fulton Reclamation Project is a 110(d) operation with a total permit area of 1.21 acres, located approximately 3.2 miles north of Idaho Springs via Two Brothers Rd. and Virginia Canyon Rd. in Gilpin County; the average elevation is 9,240 ft.

The permit was issued on March 9, 2012 and has not been revised. As has been documented in Annual Reports, as well as in previous Inspection Reports, no mining activity has occurred at the site since the permit was issued. The Division understands that the operator may no longer plan to complete the operation plan at the site; since no mining activity of any sort has occurred, it would be possible for the Division to release the site at the operator's request. A release request form can be downloaded from the Division's website or from the following link: <https://drive.google.com/file/d/1S7XBbituMeKorliHjEgJhnNCwjJhdZWI/view>. A hard copy of the form, together with a cover letter explaining that no activity has occurred, would need to be submitted by certified mail.

The locations of photos taken during the inspection are shown on the screenshot of the field map.

### **Financial Warranty:**

The Division currently holds a reclamation bond of \$13,342 for the site. It is customary for the Reclamation Cost Estimate (RCE) for a site to be re-evaluated with current unit costs at the time of the inspection. In the case of the Robert Fulton Project the amount of the reclamation bond was determined based on a RCE provided by the applicant, appended to Exhibit D of the application, dated January 10, 2011. It is unlikely that \$13,342 would be sufficient to reclaim the site using 2024 costs. No problem has been cited at this time, but if/when the Division receives a Technical Revision to update the mining and reclamation plans the Reclamation Cost Estimate will be re-evaluated during the review period.

### **Gen. Compliance With Mine Plan:**

A new septic tank and leach field had been installed, and survey stakes for a new structure had been laid out just west of the historic waste dump. Although the permit boundary was not clearly marked on the ground, these structures appear to be either inside or within 200 feet of the permit area. The structures are not described in either the mining or reclamation plans, or shown on any maps. A problem has been cited above.

Possibly associated with the recent construction, some soil-containing material had been brought to the site and placed on top of the historic waste material. This activity was not described in the annual report. It's not clear where the material came from or what it contains, although it does appear to contain some organic matter and some plants had begun to grow in it. The new material did not appear to have been seeded or mulched, and there was no evidence to suppose that the historic mine waste beneath it had been broadcast with hydrated lime, as the reclamation plan calls for.

### **Hydrologic Balance:**

Silt fence had been installed around the toe of the historic waste dump but was in poor condition. The silt



fence should be either repaired (if the permit is to be maintained) or removed (if the operator seeks release).

Signs and Markers:

For a 110(d) permit, the permit boundary and affected area boundary are identical. The boundary is shown on several maps, including Map E1, Mining Plan, Affected Area Description. An attempt was made to georeference the map using the property lines shown on the map and a GIS layer of legacy tax parcels made available by Gilpin County; although this process is not perfect, it was possible to digitize an approximate permit boundary polygon for use in the field. No boundary markers could be located in the field. A problem has been cited above.

**PHOTOGRAPHS & MAPS**



Figure 1: Screenshot of field map; approximate permit boundary in purple, inspection features in green





Figure 2: Mine ID sign, 363



Figure 3: Southern edge of historic waste dump, showing silt fence in poor repair, 364





Figure 4: Southern edge of historic waste dump, showing soil brought to site, 364



Figure 5: Northern edge of historic waste dump, showing soil brought to site, 365





**Figure 6: Recently installed septic tank and leach field, 366**





Figure 7: Staked construction site, 367



### 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>Y</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>PB</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>PB</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

#### Inspection Contact Address

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