




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: Rocky Flats Pit	MINE/PROSPECTING ID#: M-1987-113	MINERAL: Clay (general) and sand gravel	COUNTY: Jefferson
INSPECTION TYPE: Monitoring	WEATHER: Clear	INSP. DATE: September 16, 2024	INSP. TIME: 08:30
OPERATOR: BURNCO Colorado, LLC	OPERATOR REPRESENTATIVE: Chris Oestreich	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE:	BOND AMOUNT: \$551,431.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
INSPECTOR(S): Ben Hammar Zach Trujillo	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 2, 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: Sediment Control

PROBLEM/POSSIBLE VIOLATION: Problem: A washout due to recent rainfall was noticed on the southwest portion of the large overburden stockpile located on the southern border of the permit boundary. Pursuant to C.R.S 34-32.5-116(4)(j), all surface areas of affected land, including spoil piles, shall be stabilized and protected so as to effectively control erosion.

CORRECTIVE ACTIONS: The operator shall provide photo documentation to the Division verifying stockpile erosion has been repaired, and that the site has have been reconstructed and stabilized to prevent erosion damage by the corrective action date. Please also provide verification that silt fencing or other adequate best management practices have been placed around the erosion as discussed during the inspection.

CORRECTIVE ACTION DUE DATE: 11/08/24

OBSERVATIONS

The Rocky Flats Pit was inspected by Ben Hammar and Zach Trujillo with the Division of Reclamation Mining and Safety (DRMS) as part of the Succession of Operator process. Mr. Chris Oestreich with Burnco Colorado accompanied DRMS for the inspection.

The site is currently permitted for 95.07 acres, although it should be noted that the easternmost portion of the site cannot be mined at this time due to sand and gravel rights ownership issues. The site identification sign and boundary markers were present as required by Rule 3.1.12. Prior to the inspection, a discussion occurred between DRMS, Burnco, and the operator of the adjacent Church Pit mine regarding their planned submittal of an amendment to modify their permit boundaries and to discuss a recently denied technical revision related to changing the post mining land use.

The Rocky Flats Pit is mined for sand and gravel and is located immediately east and adjacent to the Lakewood Brick and Tile Company Church Pit (M1979-045). An agreement between Burnco and Lakewood Brick exists to allow the joint operations currently taking place at the site. Currently both entities operate within each other's permits, and they plan to submit amendments to correct the overlapping operations.

Mining is currently taking place in the north end of a large cell that makes up the eastern portion of the site, with material being processed and stockpiled near the center and south center of the site. A concrete plant and concrete recycling area is also located in the center of the site along the common permit boundary. A large section of water storage exists in the center of the site in support of the concrete wash plant located on-site in the center of the permit just north of their large overburden stockpile to the south.

As mentioned previously, at the time of the inspection, recent rainfall appears to have cause excessive erosion on the southern end of the south soil stockpile, which led to a washout of material. DRMS is requiring the operator to submit proof of repair of the washed-out section of the stockpile, as well as placement of silt fencing or another adequate best management practice along the fence line boundary near the failure.

No other issues were observed at the time of the inspection. During the review of the Rocky Flats Pit, it has come to the Division's attention that the reclamation liability amount has not been updated since 2009. Because the reclamation bond has not been adjusted in some time, the Division has updated the reclamation cost estimate for the Rocky Flats Pit to ensure the financial warranty reflects the actual current cost of fulfilling the requirements of the reclamation plan per Rule 4.2.1. The financial warranty increase accounts for the increased cost in the event the state is to perform earthwork and revegetation. A Surety Increase will be sent to the operator under separate cover. The operator will have 60 days to post the additional financial warranty from the date of written notice from the Division per Rule 4.2.1(2).

Inspection Contact Address

Chris Oestreich
BURNCO Colorado, LLC
10100 Dallas St
Henderson, Co 80640

Enclosure

CC:

PHOTOGRAPHS



Photo 1: Pit floor and active mining area.



Photo 2: East visual berm and function eastern boundary.



Photo 3: Water storage for on-site wash plant, filtered on-site per operator.



Photo 4: Erosion as mentioned in report.



Photo 5: Erosion from top of overburden pile.



Photo 6: Southern fenceline and permit boundary.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS----- <u>NA</u>	(FN) FINANCIAL WARRANTY----- <u>Y</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>NA</u>	(SF) PROCESSING FACILITIES----- <u>Y</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>NA</u>	(RV) REVEGETATION---- <u>NA</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>NA</u>	(RS) RECL PLAN/COMP-- <u>NA</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>NA</u>	(SC) EROSION/SEDIMENTATION--- <u>PB</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>NA</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited