



STATE OF
COLORADO

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McClave Ranch Pit (M-2024-038) - Pre-operation Inspection

1 message

Armstrong - DNR, Ursula <ursula.armstrong@state.co.us>

Thu, Oct 10, 2024 at 8:39 AM

To: PFM Consulting <pfmconsultingcompany@gmail.com>

Cc: ron@rocktran.com, "Eschberger - DNR, Amy" <amy.eschberger@state.co.us>

Hi Jodi and Ron,

Attached is the pre-operation inspection report for McClave Ranch Pit (M-2024-038) from the 9/24 inspection. Please reach out if you have any questions or comments.

Best Regards,

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Ursula Armstrong
Environmental Protection Specialist
Active Mines Program



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

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Pre-Op_2024-09-24_INSPECTION - M2024038.pdf
3524K



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: McClave Ranch Pit	MINE/PROSPECTING ID#: M-2024-038	MINERAL: Sand and gravel	COUNTY: Bent
INSPECTION TYPE: Preoperation Inspection	WEATHER: Clear	INSP. DATE: September 24, 2024	INSP. TIME: 11:02
OPERATOR: Premium Pellets LLC	OPERATOR REPRESENTATIVE: Ron Peterson	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Preoperation Inspection	BOND CALCULATION TYPE: To be calculated for proposed operation	BOND AMOUNT: To be calculated for proposed operation	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Ursula Armstrong, Amy Eschberger	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 8, 2024	

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>N</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>N</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>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>Y</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>Y</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

OBSERVATIONS

This was a pre-operation inspection conducted by Ursula Armstrong and Amy Eschberger with the Division of Reclamation, Mining and Safety (Division) in response to a new Construction Materials Application submitted by Premium Pellets LLC for the McClave Ranch Pit (File No. M-2024-038) on July 9, 2024. The Applicant was represented by Ron Peterson and Darrell Roth during the inspection. The application is for a Regular (112) Operation Reclamation Permit and was filed for review on July 29, 2024. The public comment period ended on September 17, 2024. No objections were received. Comments were received from the Division of Water Resources on August 5 and 13, 2024. The Division is currently performing an adequacy review of the application. A preliminary adequacy letter was sent to the permitting contact (Jodi Schreiber) on September 30, 2024. The application decision date is currently set for October 27, 2024. **Photos 1-12** taken during the inspection are included with this report.

The proposed site is located approximately 3 miles southeast of Hasty, CO and approximately 15 miles west of Lamar, CO, just south of Bent County Road JJ. The application proposes a 112 acre permit area. According to the application, there are no permanent, man-made structures located within the proposed permit boundary, but there are structures located within 200 feet of the proposed permit boundary. These include a Southeast Colorado Power Association powerline (Photo 1) and Bent County Road JJ (Photo 2). The applicant has secured structure agreements for said structures. Additional structures were identified during the inspection, as discussed in more detail below.

The proposed operation has a topsoil depth estimated to be between 0 to 6 inches, and overburden is expected to have a depth of 1 to 3 feet below topsoil. All topsoil and overburden removed will be stockpiled on site along the perimeter of the active mining phase, to be used for reclamation. The aggregate material is anticipated to be an additional 10 feet in depth. The sand and gravel commodities extracted from the site will be used as landscape aggregate, gravel, and road base. Mined material will be processed on site using a crusher and screens. Per the proposed mining plan, 20 acres of the area will be worked at any one time. Mining will begin in the northern portion of the permit boundary and then proceed east. No groundwater is expected to be encountered during mining.

The proposed post mining land use is rangeland. Any cut slopes will be returned to a 3H:1V or flatter slope gradient, and topsoil will be replaced on all disturbed land. Waste rock and overburden will be placed on the pit floor as quantity allows. All disturbed areas will be seeded with a rangeland grass mixture recommended by the Natural Resources Conservation Service including: green needlegrass, Indian ricegrass, little bluestem, sand dropseed, sand lovegrass, sideoats grama, and western wheatgrass. Reclamation is expected to occur concurrently to the mining phase. All interior haul roads will be reclaimed. However, the main access road off County Road JJ will remain for reclamation.

Site Observations

The public notice signs required by Rule 1.6.2(1)(b) were not identified during the inspection. The applicant did provide a signed affidavit with the application attesting that such notice signs were posted in accordance with this Rule. The applicant is reminded to ensure that these signs are in place until the site is fully permitted and permanent mine identification signs replace the notice signs.

A barbed wire fence delineates the western and southern property boundaries of the site, which align with the proposed western and southern permit boundaries. The proposed eastern and northern permit boundaries were not delineated. The proposed northern permit boundary is located approximately 180-190 feet to the south of County Road JJ. The operator explained to the Division they will be hiring a land surveyor to locate all corners of the permit boundary and mark them with t-posts or another distinguishing feature, in accordance with Rule

3.1.12(2).

The Division observed the proposed access to the site from County Road JJ, which is an existing two-track dirt road (Photos 3-5). The applicant confirmed this road will need to be substantially upgraded to support the operation. Accordingly, this road is considered "affected land" pursuant to C.R.S. 34-32.5-103(1) and will need to be included in the proposed affected land boundary. Given the relatively short distance between the county road to the proposed permit area (approximately 185 feet) and an estimated (upgraded) road width of 30 feet, this will likely add less than 0.2 acre to the affected area. The applicant agreed to incorporate the access road into the permit application, including in the proposed permit acreage, the mining and reclamation plans, and the site maps. By adding this road to the proposed permit area, there will be additional permanent, man-made structures located within 200 feet, including a power line (which the applicant said is owned by the City of Lamar), a two-track dirt road (which appears to be located on Verhoeff's property), and barbed wire fencing (which also appears to be located on Verhoeff's property). Per Rule 6.4.19, the applicant must attempt to obtain a notarized structure agreement with the owners of these structures. If an agreement cannot be reached, the applicant shall provide an appropriate engineering evaluation that demonstrates that such structures shall not be damaged by activities occurring at the mining operation.

The proposed affected area and surrounding lands are being used as rangeland. Existing vegetation in the proposed affected area includes buffalograss, sideoats grama, western wheatgrass, little bluestem, pear cactus, yucca, and sagebrush. Some weedy areas were observed which included mainly Russian thistle and wild sunflowers. However, an excess of weeds was not noted to be at the site.

The Division will calculate the required financial warranty for the proposed operation after the applicant has supplied the additional information and clarification requested in the Division's September 30, 2024 preliminary adequacy review letter.

This concludes the report.

Responses to this inspection report should be directed to: Ursula Armstrong at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 720-793-3031 or via email at ursula.armstrong@state.co.us.

PHOTOGRAPHS



Photo 1: Looking northwest at Southeast Power Association powerline located south of County Road JJ (indicated with arrow).



Photo 2: Looking west at Bent County Road JJ, Southeast Power Association powerline to the left (south) and City of Lamar powerline to the right (north).



Photo 3: Looking north at the proposed haul road entrance off County Road JJ, at northwest corner of permit area.



Photo 4: Looking west at the proposed haul road entrance off County Road JJ.



Photo 5: Looking south at the proposed haul road entrance off County Road JJ.



Photo 6: Looking north at the central portion of the proposed permit area.



Photo 7: Looking south at the southwestern permit boundary corner, delineated with a wooden fence post (circled).



Photo 8: Looking west along southern edge of the proposed permit area, boundary delineated with the property fence.



Photo 9: Looking west at the southeastern permit boundary corner, delineated with a corner fence post.



Photo 10: Looking north-northwest at the eastern portion of the proposed permit area.



Photo 11: Looking north at the central portion of the proposed permit area.



Photo 12: Looking west-southwest at the north-central portion of the proposed permit area.