



STATE OF
COLORADO

Girardi - DNR, Chris <chris.girardi@state.co.us>

Butcher Pit M1995060- September 2024 Inspection Report

Girardi - DNR, Chris <chris.girardi@state.co.us>
To: Safety@southwayco.com, Paul Bottini <paul@southwayco.com>
Cc: Jared Ebert - DNR <jared.ebert@state.co.us>

Tue, Nov 12, 2024 at 10:07 AM

Good morning Mr. Martinez,

Attached to this email is a copy of the Division's Inspection Report for the inspection conducted on September 5, 2024.

A hard copy will be sent as well.

Please let me know if you have any questions.

Thanks,
Chris

Chris Girardi

Environmental Protection Specialist Intern



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

P: (720) 793-3041

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

chris.girardi@state.us.co | <https://drms.colorado.gov/>



Butcher Pit_Inspection Report_9.5.2024.pdf
1095K



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: Butcher Pit	MINE/PROSPECTING ID#: M-1995-060	MINERAL: Sand	COUNTY: Alamosa
INSPECTION TYPE: Monitoring	WEATHER: Raining	INSP. DATE: September 5, 2024	INSP. TIME: 14:30
OPERATOR: Southway Construction Company, Inc.	OPERATOR REPRESENTATIVE: Paul Bottini	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete	BOND AMOUNT: \$61,370	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Chris Girardi Jared Ebert	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: November 12, 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: The first period of Temporary Cessation (TC2) has expired as of October 15, 2024.

CORRECTIVE ACTIONS: The Operator will need to apply for a second five (5) year period of Temporary Cessation in accordance with Rules 1.13.5(1)(b) and Rule 1.13.5(3) of the Construction Materials Rules and Regulations, initiate final reclamation, or begin mining again. Please either submit an application for a second period of Temporary Cessation, a notice of initiation of final reclamation, or a plan to begin mining operations by the corrective action date.

CORRECTIVE ACTION DUE DATE: 12/8/24

OBSERVATIONS

The Butcher Pit was inspected by Chris Girardi and Jared Ebert with the Division of Reclamation, Mining, and Safety ("DRMS" or "Division") as part of the DRMS routine monitoring inspection program. The site was last inspected on October 5, 2016, as part of a routine monitoring inspection. Paul Bottini represented Southway Construction Company, Inc. (Operator) during the inspection. The weather was cloudy with heavy rainfall.

The Butcher Pit is a 112c sand and gravel operation that consists of 40 acres and is located along the southwestern edge of Alamosa, CO. The approved post-mining land use is rangeland. The current land uses surrounding the site are residential and commercial.

A mine identification sign was located adjacent to the south of Road 7 South in compliance with Rule 3.1.12 (see Photo 1). The site is accessed from the north using a small ditch leading to the permit area.

General Compliance with Mining Plan:

The site consists of two shallow pits with rough, predominantly flat land that slopes to the south. Vegetation has established across the site consisting of Rabbit brush, Fourwing saltbrush, and wetland vegetation (see Photos 2-4). No noxious weeds were observed. Trash and other debris were scattered along the eastern portion of the site. According to the Operator, the site is commonly used as a dump area in Alamosa. The operation is a sand mine for fill materials for construction sites in Alamosa. No equipment was onsite. The DRMS inspected the northeast portion of the permit area and did not examine the rest of the permit area due to inclement weather. Based on historical Google Earth imagery, it is evident that less than 15 acres has been disturbed. In accordance with the approved reclamation plan, the Operator is required to reclaim the site in 10-acre phases. If the Operator intends to disturb more of the permit area, then a Technical Revision (TR) will be required to update the mining and reclamation plan in accordance with C.R.S. 34-32.5-112 (1)(c)(VI).

The north portion of the permit area contains a small 1-acre pit approximately four (4) feet deep with gentle slopes and well-established vegetation. Based on Google Earth imagery, the pit in the southern portion of the permit area is approximately six (6) feet deep and also contains gentles slopes with well-established vegetation.

The Operation was inactive at the time of the inspection. The Mined Land Reclamation Board ("MLRB" or "Board") approved an application for Temporary Cessation (TC2) for the site, on July 24, 2019, during a Board hearing. The TC2 application indicated the initial 5-year period of Temporary Cessation began on June 4, 2019. However, according to the Division's records the Operator has been reporting the last date of activity at the site occurred on October 15, 2019, based on recent annual reports submitted. Therefore, the Division will consider the first period of temporary cessation to have expired as of October 15, 2024. The Operator will need to apply for a second five (5) year period of Temporary Cessation in accordance with Rules 1.13.5(1)(b) and Rule 1.13.5(3) of the Construction Materials Rules and Regulations, initiate final reclamation, or begin mining again. This issue is cited as a problem at the beginning of this report.

The Division currently holds a reclamation bond in the amount of \$61,370 for this operation. The Division has evaluated the reclamation liability for the site and determined that the current reclamation bond is adequate. This concludes the DRMS' inspection report; a subset of photographs was taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at

the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at 720-793-3041 or by email at chris.girardi@state.co.us.

PHOTOGRAPHS



Photo 1: Mine entrance sign.



Photo 2: North pit floor facing west, Rabbit brush vegetation and wetland vegetation.



Photo 3: Pit floor with wetland vegetation, Rabbit brush and Fourwing saltbrush along edge of the pit.



Photo 4: Rabbit brush vegetation.



Photo 5: Trash scattered along the eastern edge of the permit area.



Photo 6: South area of the permit, facing west.

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>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</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>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>PB</u>	(FW) FISH & WILDLIFE----- <u>Y</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>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>Y</u>	

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

Inspection Contact Address

Ralph Martinez
Southway Construction Company, Inc.
117 White Pine Dr
Alamosa, CO 81101

CC: Paul Bottini, Southway Construction Company, Inc.