



## 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> Buss Barrow Pit	<b>MINE/PROSPECTING ID#:</b> M-2019-021	<b>MINERAL:</b> Borrow material for construction	<b>COUNTY:</b> Fremont
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> January 30, 2025	<b>INSP. TIME:</b> 11:00
<b>OPERATOR:</b> Fremont Paving & Redi-Mix, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Ms. Jodi Schreiber	<b>TYPE OF OPERATION:</b> 111 - Construction by Government Agency	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$8,376.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>INSPECTOR(S):</b> Jocelyn Carter	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> March 6, 2025

**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:** Right of Entry

**PROBLEM:** Failure to maintain legal right of entry per Rule 6.3.7.

**CORRECTIVE ACTIONS:** The permittee/operator must provide proof of legal right to enter and conduct mining and reclamation operations.

**CORRECTIVE ACTION DUE DATE:** 4/07/25

## **OBSERVATIONS**

The Buss Barrow Pit was inspected by me, Jocelyn Carter, on behalf of the Division of Reclamation, Mining, and Safety (Division/DRMS). The permittee for this operation is Fremont Paving & Redi-Mix, Inc., Ms. Jodi Schrieber was present for the inspection on their behalf. The weather was clear with cool temperatures and the ground was clear. The inspection was completed for normal inspection and monitoring purposes as required by Rule 3.2.

Buss Barrow is located in Fremont County, approximately 3 miles southeast of the town of Howard. The permit type is a 111 Special Operations with 7.10 acres permitted. The operation pulled barrow material for a nearby Colorado Department of Transportation (CDOT) project. The CDOT project was anticipated to be conducted from May through September of 2019. The permit called for the extraction of about 3 feet of barrow material, below approximately 12 feet of overburden and topsoil material. The stripped topsoil and overburden material were stored on the west end of the permit area, while the pit was situated on the east end. The highwalls remained at between 0 and 15 feet high and have since been graded to a 3H:1V slope. Reclamation activities of the reported 5.3 acres that had been affected by the mining activities had begun in Spring of 2020.

The permitted area was not accessible at the time of the inspection. The landowners have fenced the mine entrance and according to Ms. Schrieber, Fremont Paving & Redi-Mix, Inc. no longer have right of entry to the property. The inspection was conducted from the southwest shoulder of U.S. Highway 50 which is adjacent to the permitted area. The mine sign was posted on the fence where the site entrance used to be, see Photo #1. The reclaimed pit could be seen at a distance, see Photo #2.

A problem is being cited in this report for Right of Entry, see above for the corrective action(s) details. A copy of this report is being mailed to the landowner.

Photos taken during the inspection are provide in this report. Question regarding this inspection and this inspection report should be directed to me, Jocelyn Carter, by email at [Jocelyn.carter@state.co.us](mailto:Jocelyn.carter@state.co.us) or by phone at (720) 666-1065.

## **Records**

The operation is up to date with the required annual report, map, and fees. There are no open enforcement or infraction items. The surface and mineral rights are privately owned. The last inspection of the site was conducted on September 8, 2022, in accordance with the submittal of a full/final release request. The request was denied due to insufficient vegetation. The Division observed that there was a lack of grasses, a monoculture of kochia had become established, and that the revegetation had not been compatible with the post-mine land use of rangeland. At that time, the Division did receive an objection for the full/final release by the landowner, Daren Buss.

## **Signs and Markers**

A sign was present at what is assumed to have been the site entrance, see Photo #1. The sign does comply with the requirements outline in Rule 3.1.12(1). The sign was posted on a continuous fence and, as stated above, the site was not accessible. Permit boundary markers were not able to be verified.

## **Right of Entry**

The lease agreement providing the operator's Legal Right of Entry expired on December 15, 2021. An updated right of entry document needs to be submitted to the Division. A problem is being cited in this report for this issue, see Problem #1 above for corrective action(s) required to resolve this issue.



## PHOTOGRAPHS



Photo #1: Mine sign (left side of the image), as required by Rule 3.1.12(1), located adjacent to what was the pit entrance. The area is now fenced off and inaccessible.



Photo #2: The depression of the ground that can be seen beyond the fence is the reclaimed pit.

### **GENERAL INSPECTION TOPICS**

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

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</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>N</u>	(ST) STIPULATIONS----- <u>NA</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	(ROE) RIGHT OF ENTRY- <u>PB</u>

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

#### **Inspection Contact Address**

Ms. Jodi Schreiber  
Fremont Paving & Redi-Mix, Inc.  
P O Box 841  
Cañon City, CO 81215

CC: Amy Eschberger, DRMS