



**COLORADO DIVISION OF RECLAMATION, MINING, AND SAFETY**  
**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (970) 241-1117**

The Division of Reclamation, Mining, and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance of the mining operation with the permit and the regulations of the Mined Land Reclamation Board. The report notes 1) Areas of successful compliance; 2) Problems and suggested corrective actions and/or 3) Possible violations to be considered for possible enforcement action by the Mined Land Reclamation Board. **OPERATORS SHOULD READ THIS REPORT CAREFULLY BECAUSE IT MAY REQUIRE CORRECTIVE ACTION AND/OR RESPONSES TO THE DIVISION IN ORDER TO AVOID CONSIDERATION OF POSSIBLE ENFORCEMENT ACTION BY THE MINED LAND RECLAMATION BOARD.**

MINE NAME: Gray Pit #1 OPERATOR: Hard Rock Paving for Nick Gray  
COUNTY: Montrose MINERAL: Sand / Gravel TYPE OF OPERATION: 112c  
INSPECTOR(S): Russ Means, Dustin Czapla  
MINE ID # OR PROSPECTING ID #: M-2003-092  
INSPECTION DATE: 3-23-10 DATE OF COMPLAINT: N/A  
INSPECTOR'S INITIALS: GRM TIME OF DAY (MILITARY): 1300  
INSPECTION TYPE CODE<sup>(1)</sup>: MI POST INSP. CONTACTS<sup>(2)</sup>: NA  
JOINT INSP. AGENCY CODE<sup>(2)</sup>: NA REASON FOR INSP. CODE<sup>(3)</sup>: IE  
WEATHER CODE<sup>(4)</sup>: CR BOND CALCULATION TYPE<sup>(5)</sup>: NN  
OP. REP. PRESENT: Nick Gray / Paul Kessler(Hard Rock)

1. INSPECTION TYPE CODE - [CL-IN: IL=Illegal Operation, MI=Monitoring, MP=Mineral Prospect, SI=Surety-related, PR=Pre-operation]
2. POST INSPECTION CONTACTS AND JOINT INSPECTION AGENCY CODE - [CL-AG: NO=None, BL=BLM, CH=Colo. Dept. Health; CL=Land Board, CT=Citizen; CW=Wildlife, FS=Forest Service, HW=Hwy. Dept., LG=Local Government, SE=State Engr.]
3. REASON FOR INSPECTION CODE - [CL-RS: AG=Other Agency Request, CT=Citizen Complaint, IE=Normal I&E Program, HP=High Priority, PY=Priority]
4. WEATHER CODE - [CL-WE: CL=Cloudy, CR=Clear, IN=Inclement - prevented inspection, RN=Raining, SN=Snowing, WD=Windy]
5. BOND CALCULATION TYPE: - [BC=Complete Bond, BP=Partial Bond, NN=None]

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. **IF A PB OR PV IS INDICATED, YOU SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF YOUR PERMIT AND APPLICABLE RULES AND REGULATIONS.** If a PV is indicated, you will be notified separately when the Mined Land Reclamation Board will consider possible enforcement action.

**GENERAL INSPECTION TOPICS**

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

Y = Inspected and Found in Compliance      PV = Inspected and Possible Violations Noted      PB = Inspected and Problems Noted  
N = Not Inspected      NA = Not Applicable

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INSPECTOR'S INITIALS GRM

### OBSERVATIONS

This inspection was conducted as part of the Colorado Division of Reclamation, Mining, and Safety normal monitoring program. Nick Gray the permittee and Paul Kessler for the operator accompanied the inspectors on the inspection.

The mine identification sign and affected area boundary markers are in place and in compliance with Rule 3.1.12. The sign is located at the entrance to the site off Highway 347 where the access road goes to the permitted area. Permit boundaries are marked by t-posts and geological features that are easily identifiable. It is noted that the markers appear for the original 112c conversion and not the amendment that added in 5.23 acres in 2006. The back line for the 5 acres is just over the ridge and not visible at this time.

At this time there is no equipment on site as the mine has been closed for the winter. Several small stockpiles of processed materials are noted. Topsoil is stockpiled on the west end and along the southern edge of the pit area. Excavation is headed in a northerly direction per the approved mine plans. Highwalls are approximately 10 to 35 feet in elevation and stable. A review of the Mining Plan Map and current Annual Report appears to note that mining to the north is getting close to the point where benching is required. The inspector is advising the operator and permit holder to review and inspect permit boundaries along the north boundary. While not a problem currently, over excavation could create a condition of unstable slopes and extreme cost over runs for reclamation and is a DRMS concern. The issue is being noted as an issue of concern at the end of this report with a request for documentation.

Stockpiled topsoil has temporary vegetation cover and appears stable. No erosion or sedimentation issues are observed. There is a large amount of water on the east end of the pit. Due to the abnormal wet winter in the area it is hard to decipher what is precipitation and what may be ground water from the noted wetlands area. The operator is advised to review its stormwater permit to ensure that current conditions comply with those requirements.

No noxious or problematic weeds are noted. No mining debris or trash is noted on site. The fuel tank storage area has no signs of leaks and the tank was empty.

Other than the request for a review of the back limits of excavation area there are no problems or issues noted. A bond recalculation was done in 2006 with the amendment. An update will be performed later.

Responses to this inspection report should be directed to Russ Means at the Division of Reclamation, Mining, and Safety, Grand Junction Field Office, 101 South 3<sup>rd</sup> Street, Room 301, Grand Junction, Colorado 81501, phone no. 970-241-1117.

### I & E Contact Address

NAME: Nick Gray  
OPERATOR: Hard Rock Paving  
STREET: 584 65.30 Road  
CITY/STATE/ZIP: Montrose, CO 81401

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The following problems (PB) and/or possible violations (PV) (and suggested corrective actions) were identified during this inspection. The problems should be corrected by the dates given, or they will become possible violations. The possible violations should be corrected by the dates given to reduce their severity when considered by the Mined Land Reclamation Board. The inspector noted on the previous page should be notified of all corrective actions taken.

**PROBLEMS/POSSIBLE VIOLATIONS**  
**AND**  
**CORRECTIVE ACTIONS**

	CORRECTION DATE
1. <u>Issue of Concern: It appears that the northern permit boundaries are being excavated to a point where benching will be required.</u>	<u>5 / 14 / 10</u>
	PB or PV: <u>NA</u>
	TOPIC(S): <u>      </u>
<u>Please provide a report and map noting where excavation is and where benching of mine slopes is required to maintain slope stability and achieve final approved reclaimed slopes of 3:1. Note this is not listed as a problem currently but slope stability is an issue that must reviewed to insure reclamation can be completed. Failure to review and act now may result in a violation later that can be avoided.</u>	
2. <u>      </u>	<u>      /      /      </u>
<u>      </u>	
<u>      </u>	PB or PV: <u>      </u>
<u>      </u>	TOPIC(S): <u>      </u>
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3. <u>      </u>	<u>      /      /      </u>
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<u>      </u>	PB or PV: <u>      </u>
<u>      </u>	TOPIC(S): <u>      </u>
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I, G. Russell Means, hereby certify that on March 30, 2010, I deposited a true and complete copy of this foregoing inspection report in the United States Mail, first class postage paid, to the operator of record for this site at the address indicated, and to those others within the body of this report who have been designated to receive copies (DRMS personnel excepted).

Signature









