

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Piñeda  
Director

March 16, 2012

Jeremy Lucero  
Colorado Division of Highways  
222 South 6th Street, Room 317  
Grand Junction, CO  
81501

***RE: BLM Burnt Shale Pit, Permit No. M-1985-170, Unresolved Problem(s) Noted in a Past Inspection Report***

Dear Mr. Lucero:

According to records kept by the Division of Reclamation, Mining and Safety, some problem(s) noted in a past mine site inspection report have not been corrected. If the problem(s) have already been corrected, documentation of the corrective actions taken to correct the problem(s) must be submitted to our office.

Please see the enclosed inspection report for the above noted mine site, issued as a result of a past inspection of this site. Problems noted in this report that remain unresolved according to our records, have been highlighted.

To avoid potential future enforcement actions for non-compliance with State Statutes, Rules and Regulations, and/or conditions specified in your permit for this site, you must submit compliance documentation with the corrective actions specified for each of the indicated problems by ***Friday, March 30, 2012.***

If you require additional information, have questions or concerns, please feel free to contact me.

Sincerely,



***Dustin Czapla***

Environmental Protection Specialist  
Division of Reclamation, Mining and Safety  
101 South 3<sup>rd</sup> Street, Room 301  
Grand Junction, CO 81501  
Ph: 970.243.6299

Enclosed:     Certificate of Service  
                 February 1, 2012 Inspection Report (pg. 1)

Cc:     Kay Schneider, CDOT  
         T.J. Blake, CDOT  
         Scott Gerwe, BLM

## CERTIFICATE OF SERVICE

I, Dustin Czapla, hereby certify that on Friday, March 16, 2012 I deposited a true copy of the foregoing *Unresolved Problems letter* in the United States Mail, postage paid, addressed to the following:

Kay Schneider  
Colorado Department of  
Transportation  
606 South 9<sup>th</sup> Street  
Grand Junction, CO  
81501

Jeremy Lucero  
Colorado Division of Highways  
222 South 6<sup>th</sup> Street, Room 317  
Grand Junction, CO  
81501

T.J. Blake  
Colorado Department of  
Transportation  
606 South 9<sup>th</sup> Street  
Grand Junction, CO  
81501

Scott Gerwe  
BLM GJFO  
2815 H Road  
Grand Junction, CO  
81506



**Dustin Czapla**

*Division of Reclamation, Mining and Safety*

*Environmental Protection Specialist*




DMC  
M-1985-170

**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY  
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> BLM Burnt Shale Pit	<b>MINE/PROSPECTING ID#:</b> M-1985-170	<b>MINERAL:</b> Sandstone	<b>COUNTY:</b> Garfield
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Dustin M. Czapla	<b>INSP. DATE:</b> February 1, 2012	<b>INSP. TIME:</b> 12:00
<b>OPERATOR:</b> Colorado Division of Highways	<b>OPERATOR REPRESENTATIVE:</b>	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> NA	<b>BOND AMOUNT:</b> \$0.00
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None
<b>WEATHER:</b> Cloudy	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> February 9, 2012

**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.**

**1. INSPECTION TOPIC: Off-site Damage**

**PROBLEM/POSSIBLE VIOLATION:** Problem: Due to the lack of accurately placed permit boundary markers, it was unclear during this inspection if the entire mining disturbance has been contained within the approved affected area.

**CORRECTIVE ACTIONS:** The Operator shall submit a map to the Division, showing the current disturbance at the site in relation to the approved permit area by the corrective action due date.

**CORRECTIVE ACTION DUE DATE:** 3/09/12

**2. INSPECTION TOPIC: Signs & Markers**

**PROBLEM/POSSIBLE VIOLATION:** Problem: The affected area boundary markers are missing or are incorrectly placed.

**CORRECTIVE ACTIONS:** The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action due date.

**CORRECTIVE ACTION DUE DATE:** 3/09/12