




**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> Weimer No. 2	<b>MINE/PROSPECTING ID#:</b> M-1996-031	<b>MINERAL:</b> Gravel	<b>COUNTY:</b> Montrose
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> G. Russell Means	<b>INSP. DATE:</b> March 14, 2012	<b>INSP. TIME:</b> 13:00
<b>OPERATOR:</b> Sutherland Brothers, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Bob Sutherland	<b>TYPE OF OPERATION:</b> 110c - Construction Limited Impact	
<b>REASON FOR INSPECTION:</b> Surety Related	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$17,857.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> March 19, 2012	

**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>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</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>Y</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>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(SB) COMPLETE INSP---- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>

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

## OBSERVATIONS

This inspection was conducted as part a follow up to the normal monitoring program of the Colorado Division of Reclamation, Mining, and Safety (Division) for permitted sites. The Weimer #2 Gravel Pit is a 110c permitted site located northwest of Nucla, Colorado, west of the airport. The inspector met on site with West End Gravel Construction representative Bob Sutherland.

The mine identification sign is missing and does not comply with Rule 3.1.12. The inspector is electing not to note the issue as a problem at this time as the site is in full reclamation phase. .

The site as noted is in reclamation. The financial warranty had not been reviewed since 2002. The inspector updated the bond based on current conditions and forwarded to the operator by separate cover. The bond increased from \$17,815.00 to \$23,961.00 based on inflation costs. The increase submission date was March 5, 2012. West End Gravel has elected to finish reclamation of the site to reduce the reclamation liability. Based on this report West End Gravel may submit a bond reduction request. Once submitted, the Surety Increase notice will be withdrawn. A copy of Rule 4.14.1 and 4.17 are enclosed. The reduction request must be received by this office by April 18, 2012 otherwise enforcement action may proceed for failure to submit the increase within 60 days as required.

A letter from Sutherland, to the Division in 2002, notes that reclamation began in March of 2002. The letter states reclamation will be completed by April 2002. In July of 2011 the earthwork was 90% complete with a few areas that need some final grading. A small stockpile of topsoil is still left to finish the tasks. Slopes were 3:1 or better. Based on recent heavy precipitation in the area stormwater controls, erosion, and sedimentation do not appear to be an issue at this time. A small blowout was observed in the southeast corner of the pit which the operator noted was to be repaired.

On this date the site earthwork is 100%. All slopes are 3:1 except a small area in the northwest corner that needs to be cut down more. The operator stated the slope would be fixed that day. Overall the site slopes meet the approved reclamation plan. The small blowout gully area noted in July has been repaired. The operator re-established a ditch and berm that deflects stormwater coming down a two-track road away from the pit.

The inspector observed that there are state-listed noxious weeds present on site. Mature knapweed was observed on the site as well as immature tamarisk. Knapweed has been treated and the tamarisk pulled and sprayed. This addresses the immediate problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule. However the operator still needs to submit weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. The operator did develop in consultation with the county extension agency, or weed control district office specific control measures to be applied, a schedule for when control measures will be applied, and a post-treatment monitoring plan. The lack of submission of a noxious weed control is still noted as a problem. The operator has until April 18, 2012 to submit the required Technical Revision with the appropriate fee of \$216.00 otherwise the problem may be converted to possible violation for failure to comply and scheduled before the Mined Land Reclamation Board for enforcement.

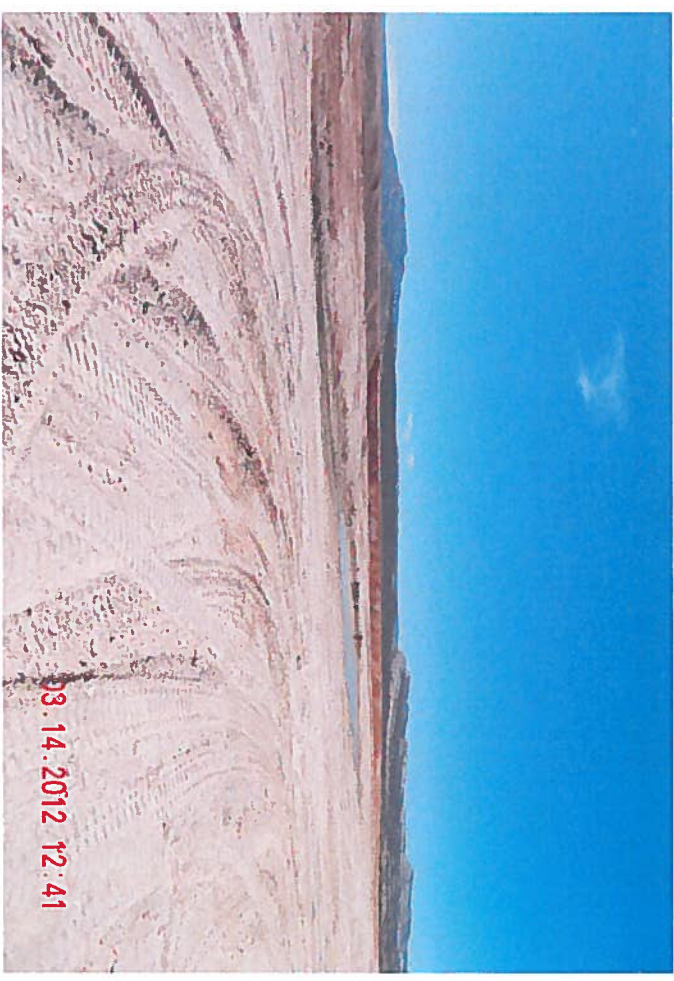
Responses to this inspection report should be directed to Russ Means at the Division of Reclamation, Mining, and Safety, Grand Junction Field Office, 101 South 3rd Street, Room 301, Grand Junction, Colorado 81501, phone no. 970-241-1117.

**Inspection Contact Address**

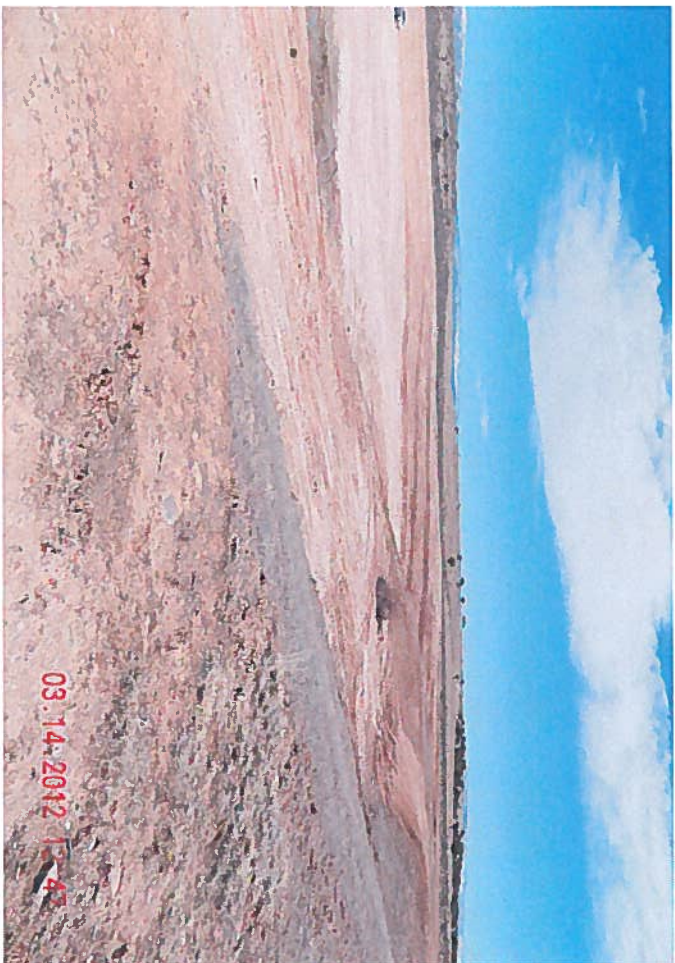
Bob Sutherland  
Sutherland Brothers, Inc.  
P.O. Box  
29703 Hwy 97  
Nucla, CO 81424

Enclosure: Rule 4.14 and 4.17

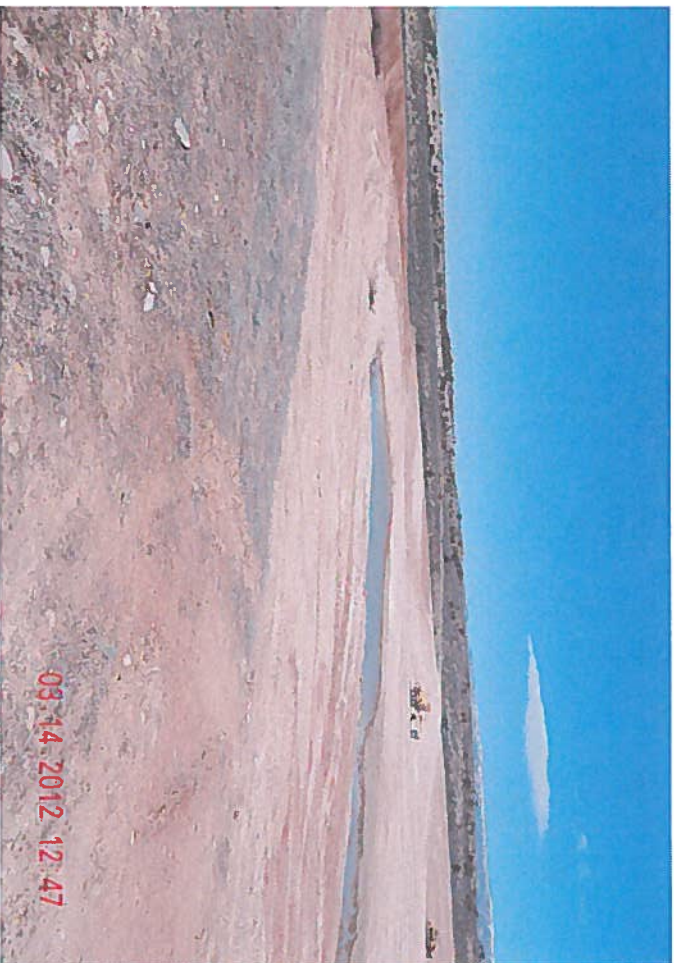








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