




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.

MINE NAME: Weimer One Gravel	MINE/PROSPECTING ID#: M-2001-002	MINERAL: Sand and gravel	COUNTY: Montrose
INSPECTION TYPE: Surety-Related Inspection	INSPECTOR(S): G. Russell Means	INSP. DATE: March 27, 2012	INSP. TIME: 12:30
OPERATOR: West End Gravel Company	OPERATOR REPRESENTATIVE: None	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: High Priority	BOND CALCULATION TYPE: IT.Bondcalculationtype.CD.Desc	BOND AMOUNT: \$51,615.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: March 28, 2012

GENERAL INSPECTION TOPICS

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

(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>PB</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>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>	(SB) COMPLETE INSP---- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</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

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 separately as to when the Mined Land Reclamation Board will consider possible enforcement action.

INSPECTION TOPIC: Backfilling & Grading

PROBLEM/POSSIBLE VIOLATION: Problem: Operator committed reclamation of slope reduction is incomplete

CORRECTIVE ACTIONS: Submit photo-documentation of completion of slope reduction on southwest highwall by correction date or submit financial warranty increase as required.

CORRECTIVE ACTION DUE DATE: 4/18/12

INSPECTION TOPIC: Gen. Compliance With Mine Plan

PROBLEM/POSSIBLE VIOLATION: Problem: There are state-listed noxious weeds present on site. This is a 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.

CORRECTIVE ACTIONS: Implement approved weed control plan and provide proof to the Division that this has been done. If a weed control plan is not already in place, the operator shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 10/31/11 extended to 4/18/12

OBSERVATIONS

This inspection is conducted as a second follow up to the normal monitoring program of the Colorado Division of Reclamation, Mining, and Safety (Division) for permitted sites. The Weimer One Gravel Pit is an 112c permitted site located northwest of Nucla, Colorado, north of the airport. The inspector met on site with West End Gravel Construction representative Bob Sutherland.

The mine identification sign is posted at the entrance to the mine and complies with Rule 3.1.12. Permit boundaries are marked by t-posts that clearly delineate the affected areas.

The financial warranty had not been reviewed since 2001. The inspector updated the bond based on current conditions during the July 2011 inspection and forwarded to the operator by separate cover. The bond increase went from \$51,615.00 to \$72,900.00 primarily due to inflation. The financial warranty replacement was due March 5, 2012. However, the operator was conducting major reclamation along the west / south pit edge to reduce the highwalls to 3:1 and reseed the area to reduce the reclamation liability.

Per the March 14th, follow up inspection:

Two loaders were observed operating on site. Stockpiles of overburden and topsoil located in the northwest section of the pit are being utilized for slope reduction and reclamation. Work was ongoing and the inspector noted that on March 27, 2012 a stop by inspection to verify final slopes would occur. If the slopes and topsoiling were completed the operator could request a surety reduction and the Division would withdraw the Surety Increase (SL-01) notice. As noted the release request must be filed by April 18, 2012 or enforcement action is possible.

March 27, 2012, follow up:

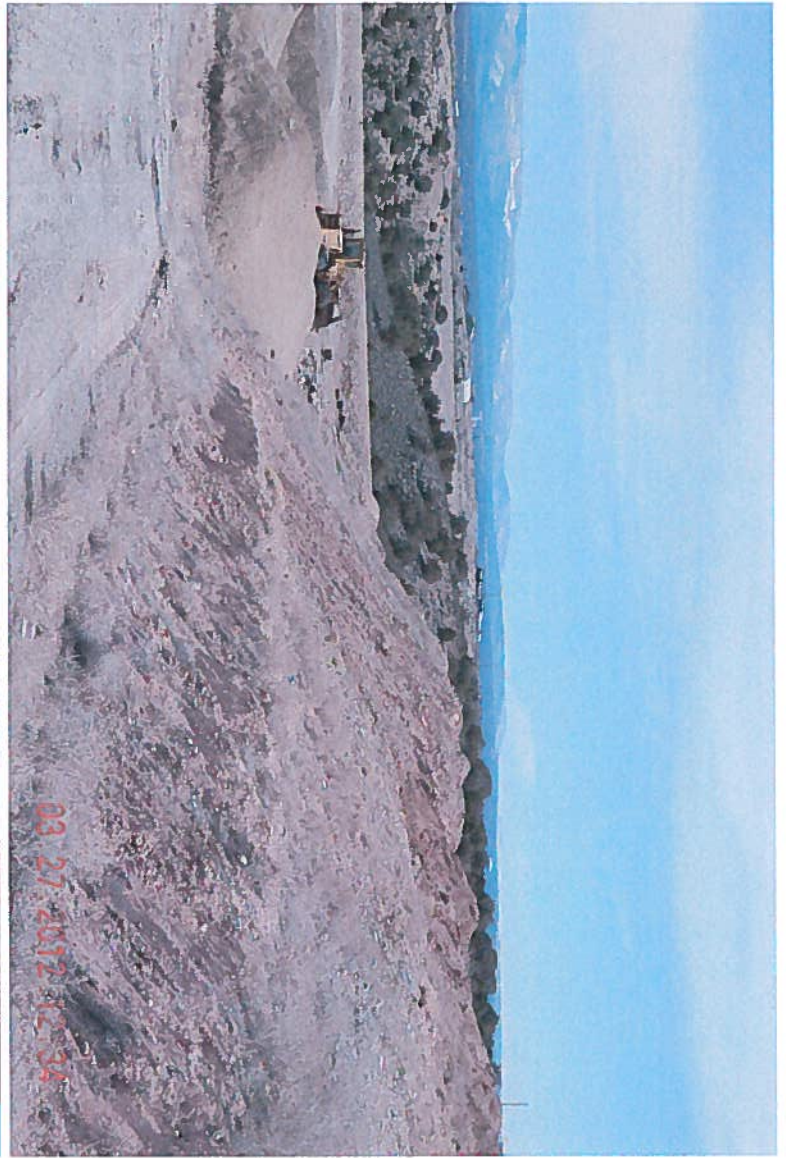
As part of other activities in the area the inspector stopped by the pit to verify the slope reduction was completed. Per the photo-documentation it appears that work on the slopes stopped very shortly after the inspection on March 14, 2012. Approximately half of the 2:1 or steeper slopes are not reclaimed as of this date.

Due to 30 day notice requirements the Division will be sending a Reason to Believe letter out within the next 7 days. The notice is to ensure that if Sutherland Brothers fails to meet the April 18, 2012 deadline for a release request the matter can be heard in May with another possible pending enforcement action.

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

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Sutherland Brothers
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