

## Czapla, Dustin

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**From:** Lucero, Jeremy J [Jeremy.Lucero@dot.state.co.us]  
**Sent:** Thursday, March 22, 2012 3:48 PM  
**To:** Czapla, Dustin  
**Cc:** Spor, Corinne  
**Subject:** RE: BLM Burnt Shale Pit, Unresolved Problems Noted in a Past Inspection Report  
**Attachments:** Response Letter.pdf

Dustin,  
This is what we sent out. Let me know if you need anything else.

Thank you,  
Jeremy Lucero  
R3 Assistant Materials Engineer  
Grand Junction, CO

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**From:** Czapla, Dustin [mailto:Dustin.Czapla@state.co.us]  
**Sent:** Thursday, March 22, 2012 8:09 AM  
**To:** Lucero, Jeremy J  
**Subject:** RE: BLM Burnt Shale Pit, Unresolved Problems Noted in a Past Inspection Report

Jeremy,

As long as I receive a copy, it doesn't matter whether you mail or drop it off. Thank you.

***Dustin Czapla***  
Environmental Protection Specialist  
Department of Natural Resources  
Division of Reclamation, Mining and Safety  
101 South 3<sup>rd</sup>, Suite 301  
Grand Junction, CO 81501  
Phone: (970) 243-6299  
Fax: (970) 241-1516

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**From:** Lucero, Jeremy J [mailto:Jeremy.Lucero@dot.state.co.us]  
**Sent:** Thursday, March 22, 2012 7:40 AM  
**To:** Czapla, Dustin  
**Cc:** Spor, Corinne  
**Subject:** RE: BLM Burnt Shale Pit, Unresolved Problems Noted in a Past Inspection Report

Dustin,  
We sent the letter to:  
US Dept of Interior  
Bureau of Land Management  
Uncompahgre Field Office  
REL 3620; COC-63674 (CO-150)  
2465 South Townsend Ave  
Montrose CO 81401

and was signed by Cynthia Sperling.

I believe that we have complete all the requests in the original inspection report we just need to get you a copy. Would you like for us to mail or drop off a copy at your office?

Thank you,  
Jeremy Lucero  
R3 Assistant Materials Engineer  
Grand Junction, CO

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**From:** Lucero, Jeremy J  
**Sent:** Wednesday, March 21, 2012 1:28 PM  
**To:** Dustin Czapla  
**Cc:** Spor, Corinne  
**Subject:** FW: BLM Burnt Shale Pit, Unresolved Problems Noted in a Past Inspection Report

Dustin,  
We received this letter today about our Burnt Shale Pit. I believe that we have already addressed these issues and sent verification a couple of weeks ago. I am wondering if this was sent before you have a chance to process that information or have we not properly addressed all the issues?

Thank you,  
Jeremy Lucero  
R3 Assistant Materials Engineer  
Grand Junction, CO

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<< File: Unresolved Problems Inspection Report 03-16-2012.pdf >>


Corinne Spor  
Colorado Department of Transportation  
Region 3 Materials Office  
2328 G Road  
Grand Junction CO 81505  
Ph (970) 683-7560  
Fax (970) 683-7579



**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

### **OBSERVATIONS**

This inspection was conducted as part of the Division of Reclamation, Mining and Safety's (Division) normal monitoring program. T.J. Blake and Fred Cummings, representing the Operator, were present during this inspection. Photographs are included with this report in order to illustrate some of the conditions observed during this inspection.

The BLM Burnt Shale Pit is located approximately 19 miles north of Loma and accessed from Highway 139. The site is a 110c operation that includes a total of 3.3 permitted acres.

Adequate mine identification signage was noted at the entrance to the site in accordance with Rule 3.1.12(1).

During this inspection, there was some uncertainty as to where the permit area boundaries were actually located. An attempt had been made by the Operator to mark the permit boundary in accordance with Rule 3.1.12(2), but there seemed to be some discrepancy between the marked area and the approved permit area shown on Exhibit C of the permit application. As a result, it was unclear if the entire mining disturbance had been contained within the approved affected area.

The active mining face is located in the west portion of the permit area. The highwall consists of two levels. The lower cut is approximately 50-60 feet high. Above this, a bench has been cut below the upper highwall, which is approximately 30 feet high. Mined slopes at the site range from approximately 1H:1V to near vertical. Some evidence of rock fall into the pit area was observed. A small stockpile and screen were located at base of the highwall in the south part of the site.

No other problems or violations were noted during this inspection.

Responses to this inspection report should be directed to Dustin Czapla at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 South 3rd Street, Room 301, Grand Junction, Colorado 81501, phone number (970) 243-6299.

### **Inspection Contact Address**

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

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

**PHOTOGRAPHS**



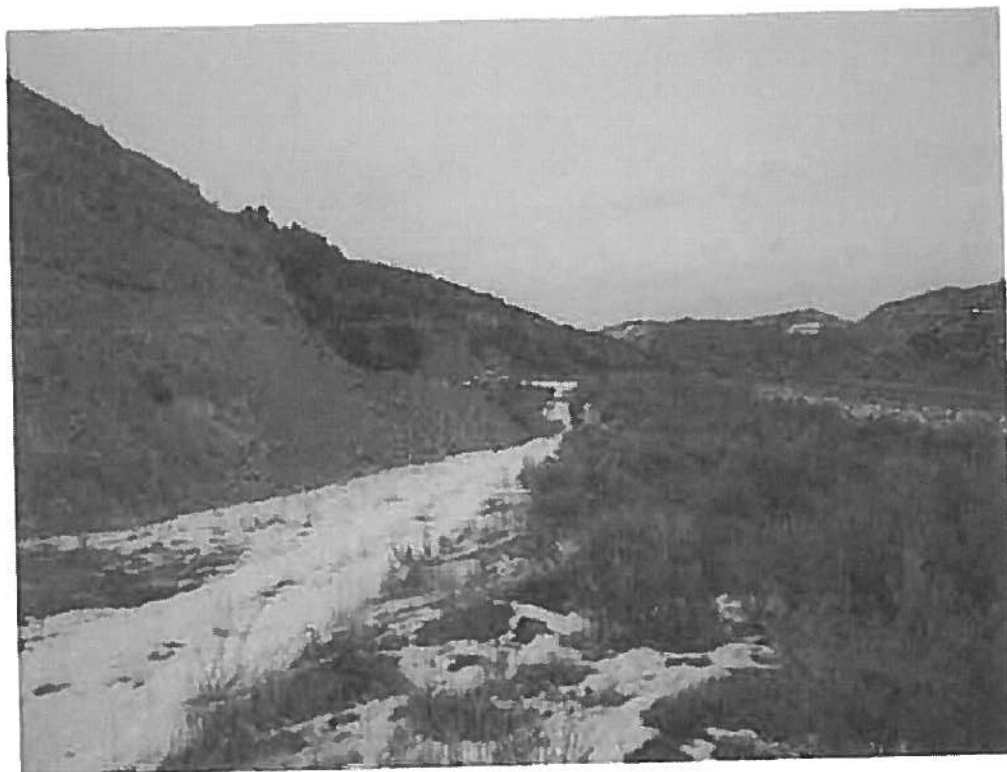
**Figure 1: View facing southwest from northeast corner of site.**



**Figure 2: View facing west from northeast corner of site.**



**Figure 3: View facing southwest from northeast corner of site.**



**Figure 4: View facing northeast from southeast corner of site.**

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

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

S 82° 52' 30" E 458.04'

1" = 80'

PERMIT AREA

794.59

CURRENT  
DISTURBANCE

N 36° 30' 20" E

EXISTING  
BOUNDARY

901.20'  
ACCESS RD

N 87° 36' 46" W 441.54'  
S 35° 23' 18" W

N 60° 53' 28" W 302.03'

LOT 6

LOT 7  
LOT 9