

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor



Todd Parfitt, Director

February 18, 2016

Quality Landscape & Nursery
 Mr. Randy Stevens
 P.O. Box 1074
 Saratoga, WY 82331

**RE: 2013-2014-2015 Annual Inspections Report, Limited Mining Operation (LMO)
 1496ET, Quality Landscape & Nursery, Inc.-Randy Stevens**

Mr. Stevens:

Enclosed is the LQD's Inspection Report summarizing the inspections conducted on July 11, 2013, July 8, 2014, and June 4, 2015. To our knowledge no topsoil was salvaged from this site and the only "soil" material has been imported and/or "created" by mixing dirt and composted organic material. All on-site soil will be used and sold by the landscaping company. The LQD requests that sediment containment be monitored and maintained. Please review the report carefully.

Please submit the 2014-2015 Annual Report (covering the period from July 22, 2014 through July 21, 2015) to the LQD no later than March 25, 2016. This report was due on or 30 days before July 22, 2015 has not been received by the LQD. A blank LMO annual report form has been submitted for your use.

Please contact me at (307) 777-7070 or rich.vincent@wyo.gov with questions or comments concerning the LMO Amendment Application or the 2015 Annual Inspection Report.

Sincerely,

Richard Vincent
 LQD District 1 LMO Coordinator
 WDEQ-Land Quality Division

Enclosure: 2013-2014-2015 Inspections Report

DEQ Exhibit 3

DEQ 3 - 0001

**LIMITED MINE OPERATION (LMO)
INSPECTION REPORT**

Wyoming Department of Environmental Quality, Land Quality Division
122 West 25th Street, Cheyenne, WY 82002
(307) 777-7057 FAX: (307) 777-5864



LMO Number:	ET1496	Operator:	QUALITY LANDSCAPE & NURSERY INC
Inspection Date:	6/4/2015	Inspector(s):	Rich Vincent
Report Date:	3/10/2016	Participant(s):	Randy Stevens, Quality Landscape & Nursery, 2015
Last Inspection:	9/28/2012	Current Bond:	\$1,000
Inspection Reason(s):	Annual	Field Conditions:	

Status:	Active	Approved Acreage:	1
County:	Carbon	Mineral:	Dirt
Total Disturbed Acres:	1		

Opening Comments

Located within the **Saratoga, WY** town limits at the SW corner of East Maple Avenue and South River Street (south of the Hugus Ditch; concrete lined irrigation ditch). Access to the site is from South River Street, east of the LMO disturbance.

Compliance Assessment

Inspection Topic	In Compliance
Compliance	N/A
<ul style="list-style-type: none"> Erosion Control 	Yes
<p>Minor erosion and surface runoff (sedimentation) were noted along the western edge of the operation during the inspections. Sediment control, in the form of hay bales and wattles was previously established along the north (down-slope) side of the operation, immediately adjacent to the Hargus (irrigation) Ditch (Photo #1). During and after the LQD 2015 Inspection, the LQD requested Mr. Stevens to install a sediment containment structure (sump, pond, etc.) to contain sediment on-site and out of Hugus Ditch. On June 30, 2015, Mr. Stevens submitted photos of the sump installed at the NW corner of the site disturbance that would also control some potential runoff from the WYDOT owned property immediately adjacent to the west of the LMO boundary.</p>	
<ul style="list-style-type: none"> Fuel Storage 	Yes
<p>No fuel storage or leak stains were noted at the LMO.</p>	
<ul style="list-style-type: none"> Impoundments 	Yes
<p>No impoundments were observed. A small sediment containment sump requested by the LQD was installed in late June 2015, but otherwise no water holding depressions were noted.</p>	

Inspection Topic	In Compliance
● Off-site/Permit Disturbance	Yes
<p>The LMO disturbance is approved for and located on Lots 1-10, Block 11, in the NE¼NE¼ Section 14, T17N, R84W. Total disturbance is approved for 1.0 acres. According to the Carbon County Assessor's website the total size of the property is 0.74 acres. The Carbon County Assessor's website shows the property south to be approximately 116' x 271'. According to the on-site and image estimates disturbance south of Hugus Ditch is approximately 1.1 acres (150' x 320'). The entire site between Hugus Ditch and the Town of Saratoga right-of-way (alley) was disturbed. Some of the area was being used for equipment storage and the disturbance may not be related to the LMO/material extraction (Figures 1A and 1B). Based on the Carbon County Assessor's website the western property boundary for LMO 1496ET is very near the east side of the Saratoga-Encampment-Rawlins Conservation District building, note the boundary line in Figure 1A. The property lines displayed on the Carbon County Assessor's website are clearly not correctly located-displayed. Lines are skewed to both the north and the east (note Town of Saratoga & Conservation District boundaries in relationship to street and alley locations on the image). The estimated error is approximately 40 feet, depending on image quality. Based on the Carbon County Assessor's website it cannot be determined if off-site disturbance has occurred. It is unlikely Quality Landscape and Nursery disturbed land outside the LMO boundary based on the operator's relationship with and oversight by the Town of Saratoga.</p>	
● Other	Yes
<p>The operator has stockpiled various grades of rock, sand, and soil materials within the LMO disturbance boundary (Photo #2). Some of this material has been brought to the site from other locations. Material removal (mining) remained active at the site as displayed by Photos #3, #4, and #5, showing the changes in the mining face from 2013, 2014, and 2015, respectively.</p>	
● Permit Signs	Yes
<p>An LMO entry sign was posted along the east side of the operation facing South River Street (east) (Photo #2). The sign contained the LQD Non-coal Rules and Regulations (R&R), Chapter 10, Section 4(a) required information.</p>	
● Roads and Culverts	Yes
<p>There was not an entrance road or culvert associated with this LMO.</p>	
● Solid Waste Disposal	Yes
<p>Several items related to the landscaping and nursery business are located within the property limits (Photo #6). Material has been moved and/or removed from the site since 2013. No real "waste" is located at the site.</p>	
● Topsoil Protection	Yes
<p>No topsoil from the site is located at the site. Topsoil may or may not have existed prior to disturbance at this location. A pile of created soil material was located on site and being used for various landscaping and nursery projects (Photo #6). The site will be returned to commercial-retail post-mine land use and topsoil will not be applied to all "reclaimed" surfaces. The operator has been creating topsoil at his LMO 1442ET operation by mixing surface, non-soil material and organic matter and/or compost. If topsoil is needed for the commercial-retail post-mine land use, then it is currently available for the operator.</p>	
● Topsoil Salvage	Yes
<p>It is unclear if topsoil was available for salvage prior to mining since the operation is located on a city block within the Saratoga town limits. It would not be possible to salvage soil from this area.</p>	
● Weed Control	Yes
<p>There are no signs of weed control. No noxious weed infestations were noted during the three inspections, although several weedy species have invaded the disturbed areas.</p>	
Reclamation	N/A
● Other	No
<p>The operator's 2014-2015 Annual Report due on or 30 days before July 22, 2015 has not been received by the LQD.</p>	

Inspection Topic	In Compliance
● Slope/Grading/Drainage	Yes
Minimal regrading was observed at the site, primarily as a result of material removal from the mining face and access/removal of stockpiled materials.	
● Vegetation	Yes
No reseeding or reclamation has been conducted at this site.	

Actions Required

Inspection Topic	Inspection Date	Proposed Resolution Date
Other	6/4/2015	3/25/2016
Submit the 2014-2015 Annual Report (covering the period from July 22, 2014 through July 21, 2015) to the LQD no later than March 25, 2016.		

Inspection Summary Comments

LMO 1421ET was approved on February 7, 2008, for Quality Landscape and Nursery, Inc. (Applicant) and Randy Stevens (Operator) to disturb 1.0 acre of on Lots 1-9, Block 11, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, T17N, R84W. The disturbance was/is located inside the Town of Saratoga limits at the SW corner of East Maple Avenue and South River Street. The Randy Stevens Living Trust bought ten lots within the Town of Saratoga, on which Mr. Stevens planned to use for his landscaping business' equipment and material storage. Much of the site would require leveling and the removal of excess material. The removed material would be sold through the landscaping business, thus the reason why the LQD required Quality Landscape and Nursery (and/or Mr. Randy Stevens) to attain a limited mining operation. Mr. Stevens stated that he had contacted Saratoga officials and had their approval for this operation. The lots were purchased on January 16, 2008. The ten lots in Block 11 are 0.74 acres in size. The original authorization was terminated on July 30, 2008, after the Town of Saratoga informed the LQD that the Town had prohibited the operation within the town limits.

LMO 1496ET was approved on July 22, 2010, after the Settlement Agreement signed by Judge Wade Waldrip between Mr. Stevens and the Town of Saratoga, was received by the LQD requiring Mr. Stevens to have all required DEQ permits. LMO 1496ET was approved for Quality Landscape and Nursery, Inc. (Applicant) and Randy Stevens (Operator) to disturb 1.0 acre of on Lots 1-10, Block 11, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, T17N, R84W. The Randy Stevens Living Trust owns both the surface and mineral. Sand and gravel is the mineral being mined. The current reclamation performance bond is \$1,000 (Cashier's Check - #73880 – Rawlins National Bank).

This inspection report incorporates inspections conducted on July 11, 2013; July 8, 2014; and June 4, 2015.

Inspection Recipient and Attachment Information

Recipient	Email	Address/Notes
Operator	Yes	QUALITY LANDSCAPE & NURSERY INC

Attachment Types: Photo Addendum Map(s) Table(s) Other

Attachment Notes

--

Type	FileName	Size (MB)	# Pages
Cover Letter	2016-02-18_1496ET_Insp_Rpt_RV(07-11-13&07-08-14&06-04-15)_Cover_Letter_Signed.pdf	0.40	1
Photos	2016-02-18_1496ET_Insp_Rpt_RV(07-11-13&07-08-14&06-04-15)_Photos_Merged.pdf	1.42	3
Attachment	2016-02-18_1496ET_Insp_Rpt_RV(07-11-13&07-08-14&06-04-15)_Figure1.pdf	0.39	1



Photo 1 Overview of West side, note sediment movement & wattles along ditch, looking S.



Photo 2 LMO entry sign & some of the material stockpiles, looking west.

Photo 3 Overview of west side & pit face at SW corner, from near NW corner, 7/11/13.

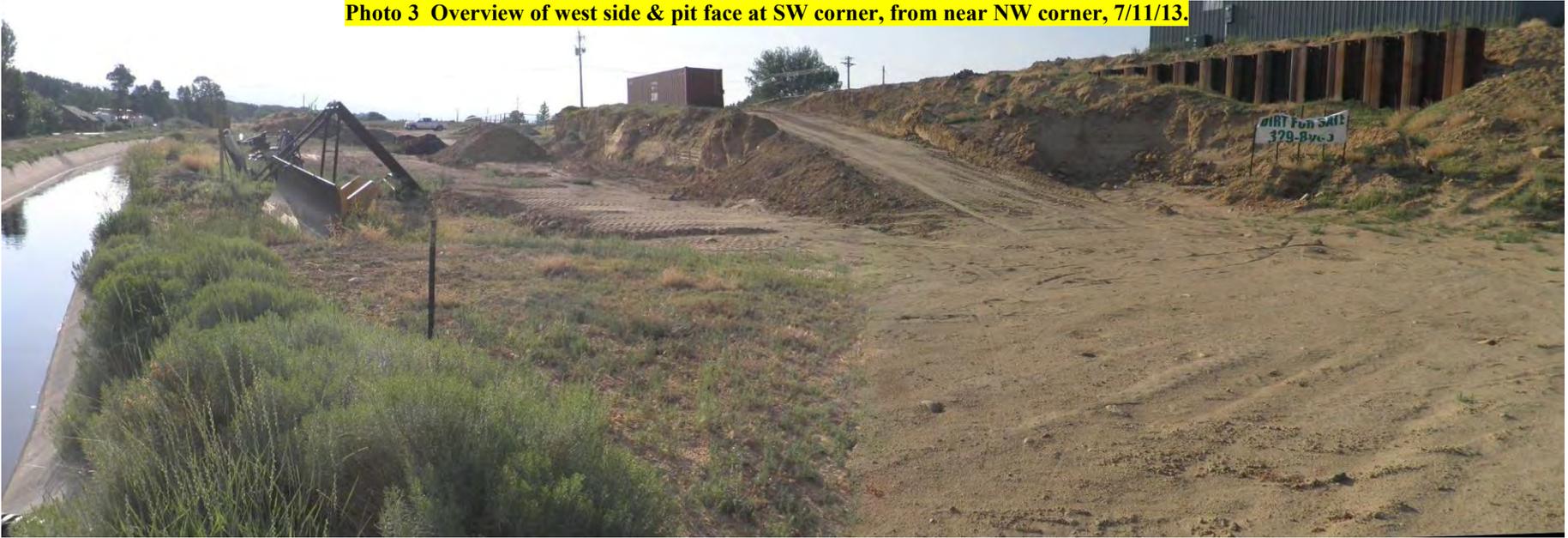
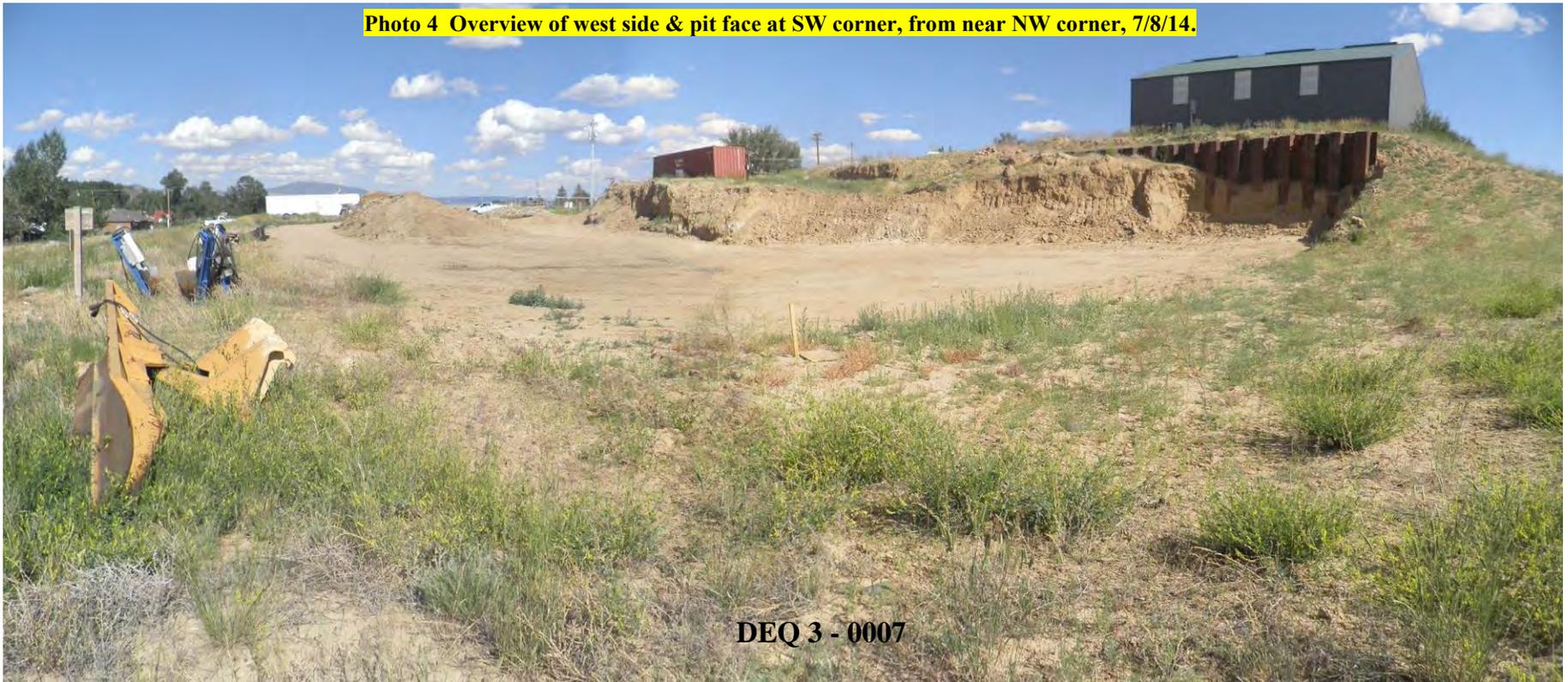


Photo 4 Overview of west side & pit face at SW corner, from near NW corner, 7/8/14.



DEQ 3 - 0007

Photo 5 Overview of west side & pit face at SW corner, from near NW corner, 6/4/15.

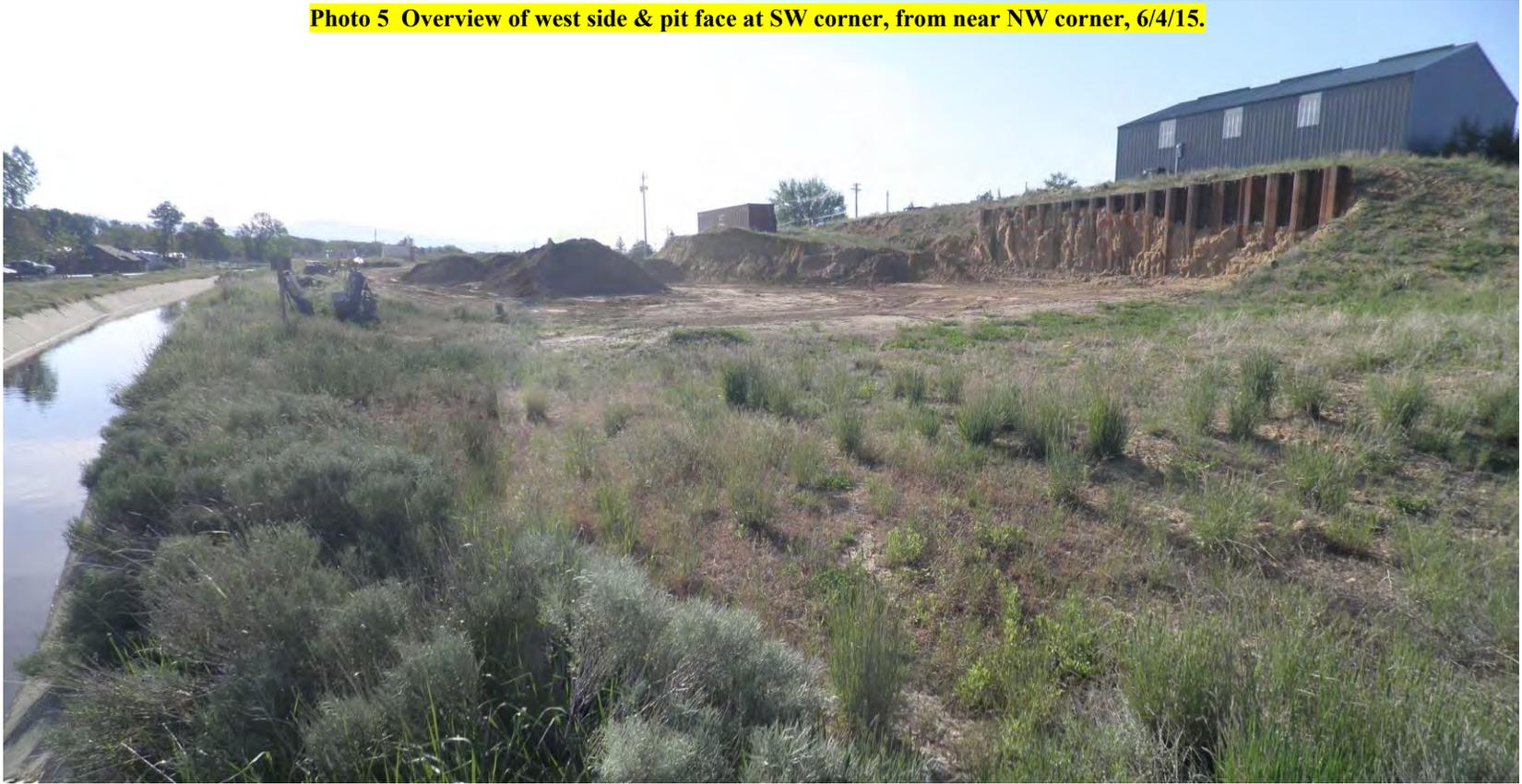
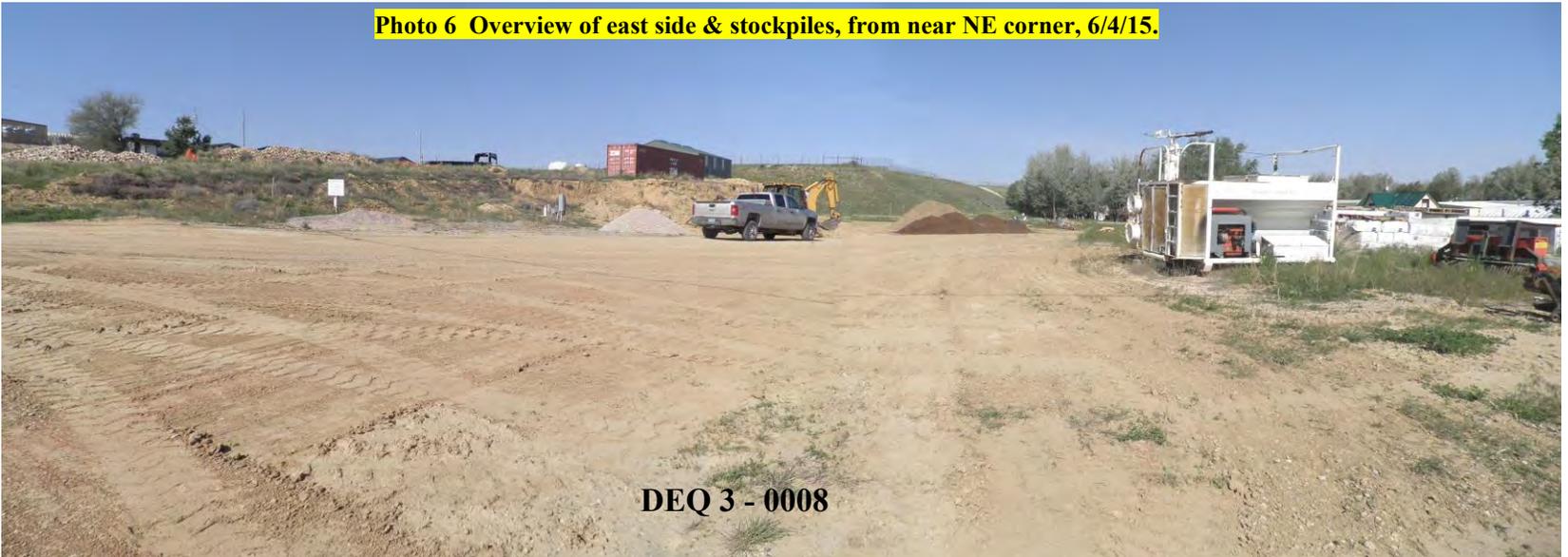


Photo 6 Overview of east side & stockpiles, from near NE corner, 6/4/15.



DEQ 3 - 0008

Figure 1A Overview of LMO 1496ET 7/11/13, 7/8/14 & 6/4/15 Inspections (Carbon County Assessor's Website) Page A2-1

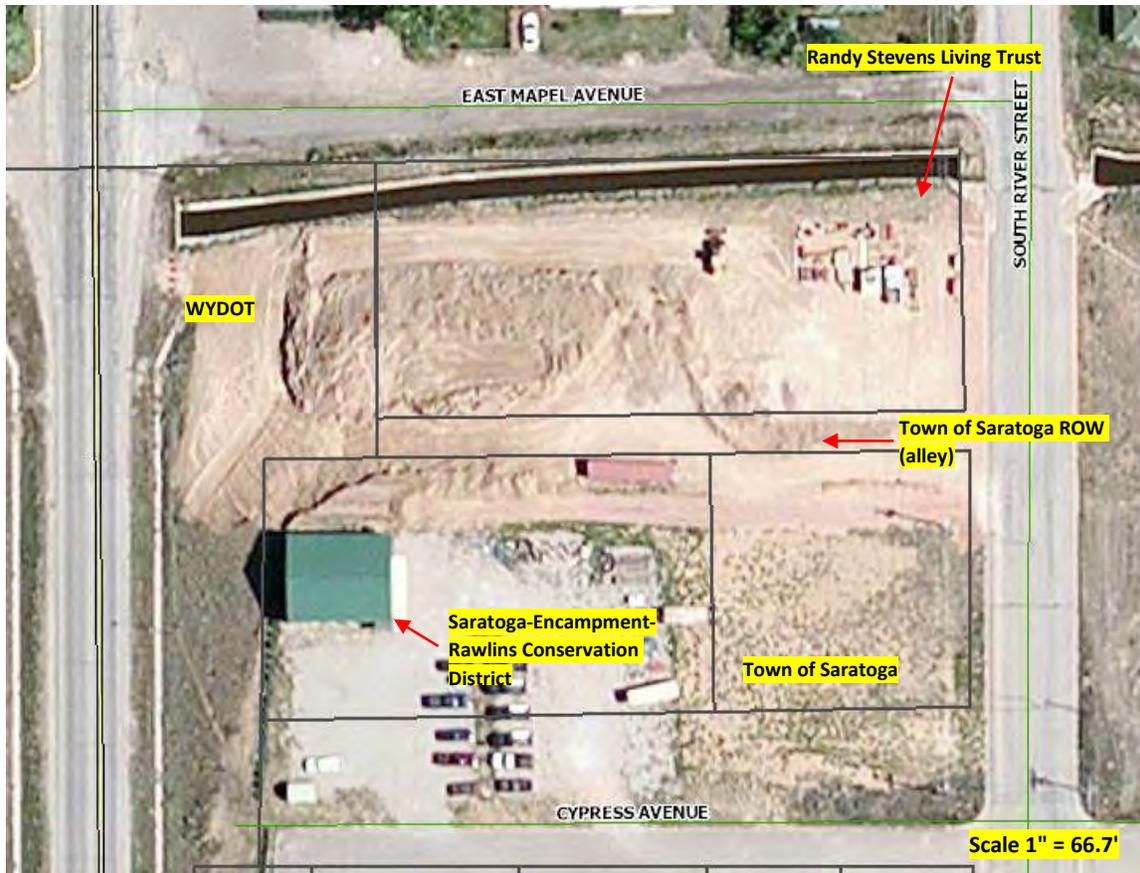


Figure 1B Overview of LMO 1496ET (WDEQ GPS Database – 2012 Imagery)

