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Governor

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Department of Workforce Services

Terry W. Adcock-State Inspector of Mines

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John Cox
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SAFETY CONCERN AT SARATOGA MINE

On March 28, 2018, at approximately 10am, I received a telephone call from, as he described himself, a concerned citizen in Saratoga, Wyoming. He stated that he was concerned about a mining operation that had potential safety issues with a highwall area that might be a hazard to persons working at the mine as well as kids playing in the area or might enter the mine site. He informed me that the operation was owned and operated by Mr. Randy Stevens and the name of his company was Quality Landscape & Nursery, Inc. He stated that he did not believe the hazard was imminent but was concerned about stability of the highwall where steel pilings were installed previously. I informed him that I would be at the site as soon as possible.

On April 3, 2018, I traveled to Saratoga and arrived at approximately 11am and contacted the concerned citizen that I was going to conduct an investigation of his complaint. He asked if he could accompany me and I stated that I did not care but that Mr. Stevens may have concerns. I then called Mr. Stevens and left him a message on his telephone. I then went to the site and took pictures from the road but did not enter the mine site. At approximately 2pm, I was sitting in my truck in front of city hall and Mr. Stevens came over to my truck. He stated that he had received my message and had returned my call. At this time he reviewed the issue that he and the city of Saratoga had regarding the mine site and boundary issues. He also informed me that they were currently involved in court litigation and court decrees. I informed Mr. Stevens of the complaint and he informed me that he would be going to the city council meeting which was scheduled for that evening and that he would discuss those concerns. I stated that I would return the following day to do my investigation and view the results of the council meeting.

I traveled to Saratoga on April 4, 2018 and arrived at approximately 11am. I contacted the concerned citizen and he still wanted to accompany me on the investigation. I also contacted Mr. Dan Ferrin, who is the Planning and Zoning coordinator for the City of Saratoga and asked him to be present to answer questions I might have regarding boundaries of the property. I called Mr. Stevens and informed him that I would meet him at his mine site and that Mr. Ferrin and the concerned citizen would also like to be present. At first, Mr. Stevens did not like the idea of the concerned citizen being on site, but then was agreeable.

We all met at the mine site at approximately 11:45, and started our investigation. We looked at the highwall area where the steel pilings were located and observed some material that had dislodged. You could also see areas where water was going behind the pilings and coming out at the bottom. At this time the area is not in imminent danger of failing, but we all agreed that the pilings should be secured and a more permanent solution to the problem should be developed and implemented.

We then looked at the highwall area that was east of the pilings and observed an area that needed to have the material graded so as not to have a vertical wall where a potential could be where material could fall without warning. At this point, I asked the concerned citizen if these were the areas that involved his concern and he said yes. We then left the site and went to city hall to review our findings and develop a plan to address the safety concern.

At this point I informed Mr. Stevens that we had several options to address the safety concern that was called in to our office. Mr. Stevens could support or reinforce the pilings or barricade the area off to prevent individuals from entering the area. Mr. Stevens stated the pilings were not on his property and he refused to perform any action on this matter. He stated that he would barricade off the area to prevent anyone from entering and that he would grade the area to remove the vertical wall area to eliminate the safety concern there. I asked the concerned citizen if that would satisfy his concerns at this time and he said yes.

Again, there was strong disagreement between Mr. Stevens and the concerned citizen on who had created this safety concern and who should pay for it. I was informed that a tentative court date set for September 2018 might decide this question. Mr. Stevens agreed that he would do the actions requested by the State Mine Inspector which is to, 1) barricade off the area next to the pilings, 2) grade the material from a vertical wall to eliminate the potential hazard of material falling that has no pilings.

On April 9, 2018, I received pictures and telephone call from Randy Stevens and he informed me that the (2) action items were corrected and he sent pictures to show the actions.

On April 19, 2018, I traveled to Saratoga and had a meeting with the concerned citizen and delivered a copy of this report to him and Mr. Stevens. I have attached pictures that show the areas of concern and the pictures that show corrections. I will also, take pictures of the areas that have been corrected.

Terry W. Adcock
State Mine Inspector
April 19, 2018



Picture taken by State Mine Inspector 4/4/2018



Picture taken by State Mine Inspector 4/4/2018



Picture received from Randy Stevens 4/9/2018



Picture received from Randy Stevens 4/9/2018



THE STATE OF WYOMING

MATTHEW H. MEAD
GOVERNOR

Department of Employment

Terry W. Adcock
State Inspector of Mines

OFFICE OF MINE INSPECTOR
P. O. Box 1094
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TELEPHONE 307-362-5222 FAX 307-362-5233

June 14, 2011

Randy Stevens, Owner
Quality Landscape and Nursery
207 Willow
P.O. Box 1074
Saratoga, WY 82331

Mr. Stevens:

This report is in response to an inspection and investigation of a safety complaint that I conducted at your operation on June 7, 2011. As I informed you on this date, that I had received a safety complaint stating that "a dangerous mining situation", existed at a mine in Saratoga. Listed below are the findings of my inspection and investigation. I appreciate your help in the investigation and your cooperation to address safety issues at your operation. Listed below are the findings and recommendations. If you have any questions, please feel free to contact me.

Item # 1

Wyoming Statute 30-2-405 (b) Notice as to commencement of operations.

(b) The owner or operator of a mine shall notify the inspector whenever a new mine is opened, or whenever an existing mine is either closed or reopened. The notice shall be given immediately before the happening of the event, and shall specify the date upon which the event will occur.

Mr. Stevens as the owner operator did not notify the mine inspector on the start up of this mining operation. A citation was issued for failing to do so.

This citation was abated on June 7, at 10:30 am, when a notice was provided to the inspector on site.

Item # 2

Wyoming Statute 30-3-110 Pits and quarries

(a) Reasonable precautions shall be taken to insure the safety of all persons working in and about open excavations, pits, and quarries. (b) Overhanging banks shall not be permitted in any excavation, pit or quarry. Sides and banks shall be sloped to an angle, in view of the nature and material and the depth of the excavation that will minimize the danger of materials sliding or falling.

The location that Mr. Stevens described as the West Alley Way had loose and overhanging material that could be a hazard to persons if they were working or walking in that area. At the time of our inspection, no work was being performed and parts of the area have already been sloped due to concerns from Wyoming Department of Transportation officials. There is still approximately 30 feet that needs to be sloped or secured.

Mr. Stevens informed me that he was working on this area on June 6, and the chief of police from Saratoga came to the site and told him that he was under a cease and desist order and to stop all work on the site. I asked Mr. Stevens to block access to the area to prevent individuals from entering. He agreed that he would block the access to the area.

After the cease and desist order is lifted this area should be sloped or secured to prevent failure.

Item # 3

Wyoming Statute 56.9300 Berms or guardrails

(a) Berms or guardrails shall be provided and maintained on the banks of roadways where a drop-off exists of sufficient grade or depth to cause a vehicle to overturn or endanger persons in equipment. (b) Berms or guardrails shall be at least mid-axle height of the largest self-propelled mobile equipment which usually travels the roadway.

Tire tracks were observed on a haul road that is located on the Maple Street side of the mine site. No berms or guardrails were present and a roll over potential is present due to the irrigation ditch located next to the haul road. Mr. Stevens had already placed material across the road on the west end to prevent vehicles from using the road. I also asked Mr. Stevens to block the other entrance to prevent access. He informed me that he would park his loader across the road to prevent vehicles from entering. As soon as the cease and desist order is lifted the road should be blocked or the roadway bermed or have guardrails if it will be used as a haul road.

If this road is used in the future for haulage, it must have berms or guardrails for safety of individuals.

Item # 4

Wyoming Statute 30-3-102 Reasonable safety regulations and precautions

(c) Appropriate signs shall be posted where dangerous or temporary hazards exist.

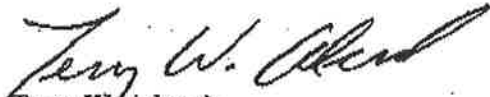
Due to the fact this mine site is located in the center of the city of Saratoga, I requested that Mr. Stevens place signs around the perimeter of the property to alert individuals that this is an active mine site and hazards could be present. Mr. Stevens stated that he would post signs.

Item # 5

We also inspected front end loader # 52825, which has been used in the mine operation. The loader's lights, horn, back-up alarm, fire extinguisher, seat belt, brakes and parking brake were checked and found to be in good working order. The overall condition of the loader was in good order.

Conclusion

Again, I would like to thank you for your cooperation regarding this inspection. If you have any questions regarding the findings of this investigation, please feel free to contact me at 307-362-5222.


Terry W. Adcock
Wyoming State Mine Inspector



Mark Gordon
Governor

State of Wyoming Department of Workforce Services

Heather Kroupa-Interim State Inspector of Mines
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Robin Sessions Cooley
Director

INSPECTION REPORT

INSPECTION DATE: 05/30/2019;
REPORT DATE: 06/03/2019
BUSINESS: Quality Landscaping
FACILITIES INSPECTED: Quality Landscaping Pit - ET1496
INSPECTION PARTY: Heather Kroupa - (State Inspector of Mines)
PRIMARY CONTACT EMAILS: randygl@union-tel.com
ADDITIONAL CONTACT EMAILS:
WYO CONTACT EMAILS: heather.kroupa@wyo.gov

OBSERVATION SUMMARY

An inspection was made for compliance with the Wyoming State Safety Rules and Regulations and the following conditions were observed:

EMPLOYEES	0	LOST TIME ACCIDENTS	0
FIRST AID SUPPLIES:	N/A	FIRST AID TRAINING:	N/A
FIRE PROTECTION:	N/A	HOUSEKEEPING:	Good
COMMUNICATIONS:	N/A	EMERGENCY NUMBERS:	N/A
PPE:	N/A	INSPECTION REPORTS:	N/A
PRE-OP EQUIP INSPECTIONS:	N/A	WORK AREA INSPECTIONS:	N/A

SUMMARY

The pit was idle at the time of inspection.

WS 30-2-209. Inspections; reports; posting and distribution; interim reports. (iii) One (1) copy posted on a bulletin board at a prominent place on the premises where it can be conveniently read by the employees and to remain posted until the report of the succeeding examination is posted.

AREAS AND EQUIPMENT INSPECTED

Areas Pit Area

VIOLATIONS- (0)

No Violations Reported.

DEQ 10 - 0008

CONCLUSION

No activity in the pit at the time of inspection.

Notice of violation; correction of condition constituting violations required; penalty upon failure to comply; continuing violations; authority to close operations; right of appeal. The State Mine Inspector's Office is requesting written or online five day abatement on the violations noted during the inspection of compliance.

Cooperation Appreciated,

Heather Kroupa
Deputy Mine Inspector

ATTACHED PICTURES





DEQ 10 - 0011



Mark Gordon
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State of Wyoming
Department of Workforce Services

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Robin Sessions Cooley
Director
Elizabeth Gagen
Deputy Director

INSPECTION REPORT

INSPECTION DATE: 08/25/2021;
REPORT DATE: 08/26/2021
BUSINESS: Quality Landscape & Nursery
FACILITIES INSPECTED: #ET1496 Randy Stevens
INSPECTION PARTY: Bill Frost - (Deputy Mine Inspector)
PRIMARY CONTACT EMAILS: randyqln@union-tel.com
ADDITIONAL CONTACT EMAILS:
WYO CONTACT EMAILS: bill.frost@wyo.gov

OBSERVATION SUMMARY

An inspection was made for compliance with the Wyoming State Safety Rules and Regulations and the following conditions were observed:

EMPLOYEES	0	LOST TIME ACCIDENTS	0
FIRST AID SUPPLIES:	N/A	FIRST AID TRAINING:	N/A
FIRE PROTECTION:	N/A	HOUSEKEEPING:	N/A
COMMUNICATIONS:	N/A	EMERGENCY NUMBERS:	N/A
PPE:	N/A	INSPECTION REPORTS:	N/A
PRE-OP EQUIP INSPECTIONS:	N/A	WORK AREA INSPECTIONS:	N/A

No activity at the time of my inspection.

SUMMARY

Quality Landscape & Nursery, Inc.
P.O. Box 1074
Saratoga, WY 82331

WS 30-2-209. Inspections; reports; posting and distribution; interim reports. (iii) One (1) copy posted on a bulletin board at a prominent place on the premises where it can be conveniently read by the employees and to remain posted until the report of the succeeding examination is posted.

VIOLATIONS- (0)

No Violations Reported.

DEQ 10 - 0012

CONCLUSION

No activity at the time of my inspection. Thank you.

Notice of violation; correction of condition constituting violations required; penalty upon failure to comply; continuing violations; authority to close operations; right of appeal. The State Mine Inspector's Office is requesting written or online five day abatement on the violations noted during the inspection of compliance.

Cooperation Appreciated,

Bill Frost
Deputy Mine Inspector

ATTACHED PICTURES



DEQ 10 - 0014



Mark Gordon
Governor

State of Wyoming
Department of Workforce Services

Heather Kroupa, State Inspector of Mines
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Robin Sessions Cooley
Director
Elizabeth Gagen
Deputy Director

INSPECTION REPORT

INSPECTION DATE: 04/06/2022;
REPORT DATE: 04/11/2022
BUSINESS: Quality Landscape & Nursery
FACILITIES INSPECTED: #ET1496 Randy Stevens
INSPECTION PARTY: Bill Frost - (Deputy Mine Inspector)
PRIMARY CONTACT EMAILS: randyqln@union-tel.com
ADDITIONAL CONTACT EMAILS:
WYO CONTACT EMAILS: bill.frost@wyo.gov

OBSERVATION SUMMARY

An inspection was made for compliance with the Wyoming State Safety Rules and Regulations and the following conditions were observed:

EMPLOYEES	0	LOST TIME ACCIDENTS	0
FIRST AID SUPPLIES:	N/A	FIRST AID TRAINING:	N/A
FIRE PROTECTION:	N/A	HOUSEKEEPING:	N/A
COMMUNICATIONS:	N/A	EMERGENCY NUMBERS:	N/A
PPE:	N/A	INSPECTION REPORTS:	N/A
PRE-OP EQUIP INSPECTIONS:	N/A	WORK AREA INSPECTIONS:	N/A

No activity.

SUMMARY

Quality Landscape & Nursery, Inc.
P.O. Box 1074
Saratoga, WY 82331

WS 30-2-209. Inspections; reports; posting and distribution; interim reports. (iii) One (1) copy posted on a bulletin board at a prominent place on the premises where it can be conveniently read by the employees and to remain posted until the report of the succeeding examination is posted.

VIOLATIONS- (0)

No Violations Reported.

DEQ 10 - 0016

CONCLUSION

No activity at the time of my inspection. Thank you.

Notice of violation; correction of condition constituting violations required; penalty upon failure to comply; continuing violations; authority to close operations; right of appeal. The State Mine Inspector's Office is requesting written or online five day abatement on the violations noted during the inspection of compliance.

Cooperation Appreciated,

Bill Frost
Deputy Mine Inspector

ATTACHED PICTURES



DEQ 10 - 0018

