




**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> Kiowa Clay Mine	<b>MINE/PROSPECTING ID#:</b> M-2007-009	<b>MINERAL:</b> Clay (general)	<b>COUNTY:</b> Elbert
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Amy Eschberger	<b>INSP. DATE:</b> June 3, 2014	<b>INSP. TIME:</b> 12:00
<b>OPERATOR:</b> The Denver Brick Company	<b>OPERATOR REPRESENTATIVE:</b> Rob Tibbetts	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	

<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$244,932.00
<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> August 21, 2014

**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.**

**INSPECTION TOPIC:** Signs & Markers

**PROBLEM/POSSIBLE VIOLATION:** Problem: The mine identification sign was not posted at the entrance of the mine site. This is a problem for failure to post a mine identification sign as required by Section 3.1.12(1) of the rule.

**CORRECTIVE ACTIONS:** The operator shall, at the entrance of the mine site, post a sign which shall be clearly visible from the access road with the following: the name of the operator, a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and the permit number. The operator shall submit photo documentation that a proper sign has been posted by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 9/20/14

## **OBSERVATIONS**

This was a normal monitoring inspection of the Kiowa Clay Mine (File No. M-2007-009) conducted by Amy Eschberger and TC Wait of the Division of Reclamation, Mining and Safety (Division). Mr. Rob Tibbetts, representing The Denver Brick Company, was present for the inspection. The site is located approximately 15 miles southeast of Kiowa, Colorado in Elbert County, on land owned by the Operator. The post-mining land use for this site is rangeland.

At the time of inspection, it was clear, hot, and windy, and the ground was dry. Access to the site is off of Co Rd 89, which is located east of the site. A dirt haul road runs west off this County road, entering the eastern portion of the permit area. The proposed affected area is reached approximately one mile down this road. A permit sign was posted off the access road (Photo 1), approximately 0.4 miles west of the main entrance off of Co Rd 89. **Because the permit sign is currently placed where it is not visible to the public, a Possible Problem is cited in this report for failure to post a mine identification sign as required by Rule 3.1.12(1), and will require corrective action (See Page 1).** The Operator shall post the sign at the main entrance to the site off of Co Rd 89, and submit photo documentation for proof. The permit boundary was delineated by property fencelines. The corners of the proposed affected area were marked by metal posts (Photo 2).

This is a 112c operation permitted for 400 acres to mine clay for brick manufacturing. However, according to the approved mining plan, only 72 acres will be mined, with an additional 20 acres disturbed by access roads, stockpile storage, and equipment staging. The maximum affected acreage to be disturbed at any time and for the life of the mine is 92 acres. At the time of inspection, mining activities had not yet commenced at this site, and no mining equipment was present (Photos 3-5). Mr. Tibbetts was uncertain of when mining activities might begin at this site.

The approved mining plan indicates that mining will commence in the east-central portion of the proposed affected area and will advance northward, westward, and southward from there depending on resource availability and quality. Mining will occur to depths of approximately 60 feet, with the deepest cut expected to be along the eastern portion of the proposed affected area. Pit walls will be bench cut to widths of approximately 60 feet, with each highwall no greater than 20 feet in height.

Storage of mined material, overburden, and topsoil stockpiles and equipment is proposed to occur just east of the mining area. No processing will take place on site. Stockpiled clay will be trucked to a processing plant in Castle Rock, CO as required by demands. The approved mining plan calls for concurrent reclamation, where pit slopes are backfilled and graded to slopes of 3H:1V as mining progresses outward from the initial phase. The pit floor will eventually be backfilled and graded to an elevation of 6,150 feet.

The site is located primarily in an upland area. Groundwater is not expected to be encountered during mining. Sheetflow from the proposed mining area generally runs westward and northwestward. Trenches will be constructed along the western (downslope) side of the mining area to catch stormwater runoff from the disturbed area and direct it to a controlled stormwater release basin that will be located near the western boundary of the proposed affected area.

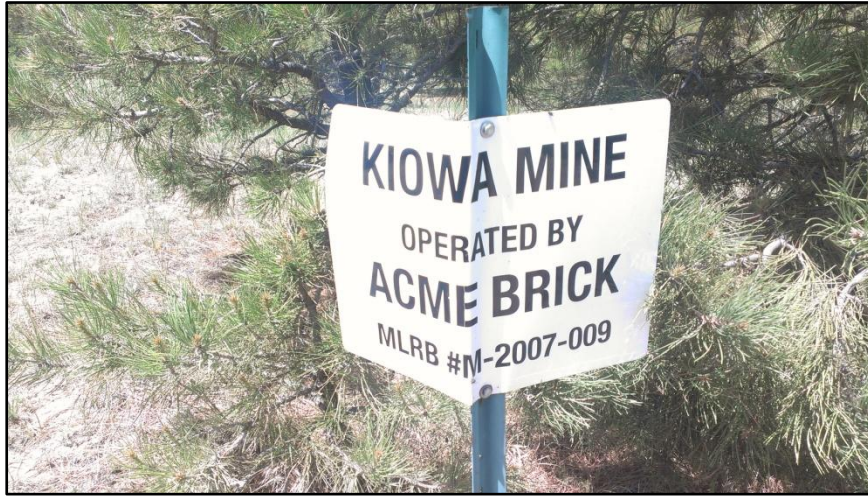
Currently, a small stock pond owned by the Operator is present in the southern portion of the proposed affected area. According to the approved reclamation map, it appears that this pond will not be present post-mining. Also, there are cattle pens present in the southern portion of the permit area, but they are located just outside of the proposed mining area. The cattle pens are owned by Mr. Robert McClain, whom is leasing the entire 400-acre permit area from the Operator for livestock grazing. The approved permit application states that it is intended that cattle operations will continue on the property in areas where they will not be disruptive to mining.

activities. No cattle were observed on site during the inspection.

Some historical mining activity occurred in the southern portion of the permit area not far from the access road (Photo 6). This historical mining area is not within the boundary of the proposed affected area. This was noted in the pre-operation inspection report from 03/20/2007.

The current bond amount of \$244,932.00 was found to be adequate for reclamation of the site.

## **PHOTOGRAPHS**



**Photo 1.** View of permit sign posted off dirt access road in permit area.



**Photo 2.** View of boundary marker for southeast corner of proposed affected area. Note stock pond at right, which is located within the proposed affected area.



**Photo 3.** View looking east from western boundary of proposed affected area.



**Photo 4.** View looking east from access road, near center of proposed affected area.



**Photo 5.** View looking east from access road in southern portion of permit area.



**Photo 6.** View of historical mining area located near access road within permit area, east of proposed affected area.

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

#### Inspection Contact Address

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CC: TC Wait, DRMS  
Tom Kaldenbach, DRMS

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Return Receipt Requested