



COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

November 21, 2014

Mr. Tony Fabrizio  
General Shale Brick, Inc.  
1845 W. Dartmouth Ave.  
Denver, CO 80110-1308

RE: Apache 9; DRMS File No. M-1978-009;  
Technical Revision (TR-01) Conditional Approval

Dear Mr. Fabrizio,

On November 20, 2014 the Division of Reclamation, Mining and Safety approved the Technical Revision application submitted to the Division on September 17, 2014, addressing the following:

*Request to Import Scrap Brick & Scrap Block as Inert Structural Fill.*

The terms of the Technical Revision No. 1 approved by the Division are hereby incorporated into Permit No. M-1978-009.

The conditions of the Division approval are noted below. Please note that all other provisions of Permit No. M-1978-009 remain in full force and effect.

*General Shale has committed to providing the Division with an annual report and photographic documentation demonstrating the block and brick imported during the campaign hauling is not stockpiled, but is used for backfill in the pit(s). This inert fill annual report should be submitted along with the Mine's regular Annual Report due on the anniversary date.*

- a. The inert fill annual report should state how much inert fill (block and/or brick) was imported, what timeframe the hauling campaign(s) occurred, whether or not the imported material was blended, and list the date(s) backfilling the imported fill was completed.*
- b. Photo documentation should depict the location where block and/or brick was unloaded, where it was blended (if applicable), and that these area(s) were clear of block and/or brick at the completion of the backfilling operation.*

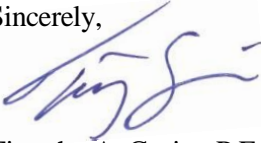


Mr. Fabrizio  
Page 2  
November 21, 2014

The performance bond currently held by the Division is \$181,161.00. The Division has reviewed this change for impacts to the financial warranty and has determined that this change does not require an increase to the current reclamation liability.

If you have any questions, please contact me at (303)866-3567 x8169.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy A. Cazier', is positioned above the printed name.

Timothy A. Cazier, P.E.  
Environmental Protection Specialist

cc: Tom Kaldenbach, DRMS  
DRMS file  
Jason McGraw, General Shale