


**COLORADO**Division of Reclamation,  
Mining and Safety

Department of Natural Resources

**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><br>DDD                      | <b>MINE/PROSPECTING ID#:</b><br>M-1984-076      | <b>MINERAL:</b><br>Clay (general)                                  | <b>COUNTY:</b><br>Elbert    |
| <b>INSPECTION TYPE:</b><br>Monitoring         | <b>INSPECTOR(S):</b><br>Peter S. Hays           | <b>INSP. DATE:</b><br>November 30, 2017                            | <b>INSP. TIME:</b><br>10:00 |
| <b>OPERATOR:</b><br>General Shale Brick, Inc. | <b>OPERATOR REPRESENTATIVE:</b><br>Jason McGraw | <b>TYPE OF OPERATION:</b><br>112c - Construction Regular Operation |                             |

|   |  |   |
|---|--|---|
| <b>REASON FOR INSPECTION:</b><br>Normal I&E Program | <b>BOND CALCULATION TYPE:</b><br>Partial Bond  | <b>BOND AMOUNT:</b><br>\$135,807.00         |
| <b>DATE OF COMPLAINT:</b><br>NA                     | <b>POST INSP. CONTACTS:</b><br>None  | <b>JOINT INSP. AGENCY:</b><br>None          |
| <b>WEATHER:</b><br>Clear                            | <b>INSPECTOR'S SIGNATURE:</b><br> | <b>SIGNATURE DATE:</b><br>December 22, 2017 |

**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:** Gen. Compliance With Mine Plan

**PROBLEM/POSSIBLE VIOLATION:** Problem: The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The Operator must provide sufficient information to describe or identify how the Operator intends to conduct the operation.

**CORRECTIVE ACTIONS:** The Operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 2/20/18

## **OBSERVATIONS**

The DDD mine site was inspected by Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) as part of the Division's monitoring inspection program. The site was previously inspected by the Division on August 12, 2014. Mr. Jason McGraw with General Shale Brick, Inc. was present during the inspection. The 2017 Annual Report for the site accurately depicted the current status of the site.

The DDD mine site is divided into two sites; the west pit called the DWR Mine by the Operator and the east pit called the DEB Mine by the Operator. The post-mining land use for both sites is pastureland for grazing purposes. The site is an 112c operation permitted for 101.4 acres. The site is permitted as an intermittent operation. The maximum allowed disturbance acreage is 60 acres. The mine signs and boundary markers were observed at both sites as required by Rule 3.1.12. The site is campaign mined by the Operator to produce clay stockpiles which are transported to the off-site production facility as needed for the production of bricks.

The DWR (west pit) site is permitted for 60 acres. The land is leased from three separate landowners, dividing the site into three areas; west, middle and east. The lease with the landowner for the west portion of the site expired in 2016. The west portion of the site is in reclamation. The Operator reclaimed the land by replacing the overburden and topsoil and reseeding the area. The site was drill seeded in December 2016. The vegetation was establishing well for the first year of growth. A few annual and noxious weeds were observed during the inspection. The noxious weeds included Canada thistle, diffuse knapweed and common mullein. The Division recommends the area is monitored for vegetative progress and the noxious weeds are controlled until the area is ready for release from the permitted area.

The Operator negotiated a surface only lease with the landowner of the middle portion of the site. The middle area is used as a stockpile area and contained four product stockpiles. The stockpile area was surrounded by well-vegetated topsoil stockpiles on all four sides. Hauling activities from the product stockpiles was observed during the inspection.

The east portion of the site contained the excavation area, a reclaimed area in the north portion of the area, a stormwater detention pond and a product, overburden and vegetated topsoil stockpiles in the south portion of the area. The mining excavation depth was estimated at 20 feet along the eastern highwall. The last mining campaign concluded on August 2, 2017. The Operator stated an additional clay deposit is present below the current pit floor. The pit floor contained a small amount of stormwater.

As cited as a problem on Page 1, a technical revision is required to update the Mine Plan for the relocation of the access road from the west portion to the middle portion of the site, to increase the maximum allowed disturbance acreage and include the new stormwater detention pond located in the east portion of the site. The current disturbed acreage was estimated by the Operator at 64.7 acres (38.7 acres for the west pit and 26.3 acres for the east pit) in the 2017 annual report, which exceeds the approved 60 acres of allowed disturbance. The technical revision must include all currently disturbed and reclaimed but not released areas of the site. The Division currently holds a reclamation bond in the amount of \$135,807. The required financial warranty will need to be updated by the Operator and reviewed by the Division as part of the technical revision.

The DEB (east pit) site is permitted for 41.4 acres. The site is divided into three areas; an excavation area located in the northeast corner, a partially reclaimed area south of the pit and a stockpile area along the western boundary of the site. Stormwater detention ponds are located southeast of the excavation area and south of the stockpile area. The stockpile area pond contained a small amount of water. The excavation area pond was dry. Topsoil stockpiles are located along the north boundary adjacent to CR 194, south of the stockpile area and south of the reclaimed area. All of the topsoil stockpiles were well-vegetated and stable.

Two clay deposits are located below the current pit floor according to the Operator. The current northern highwall is approximately 30 feet. The pit is expected to be mined deeper another 15 to 20 feet from the current elevation. The partially reclaimed area was mined and backfilled to the current grade. Overburden has been replaced, but topsoil has not been replaced over the area. A stockpile of waste brick was located in the eastern portion of the partially reclaimed area.

Photographs taken during the inspection are attached.

**Inspection Contact Address**

Mr. Jason McGraw  
General Shale Brick, Inc.  
1845 W. Dartmouth Ave.  
Denver, CO 80110

Ec: Wally Erickson, DRMS

## PHOTOGRAPHS



DWR (west pit) mine sign



View of the DWR middle area from the northeast corner looking southwest





View of the reclaimed DWR west area from the east side looking west

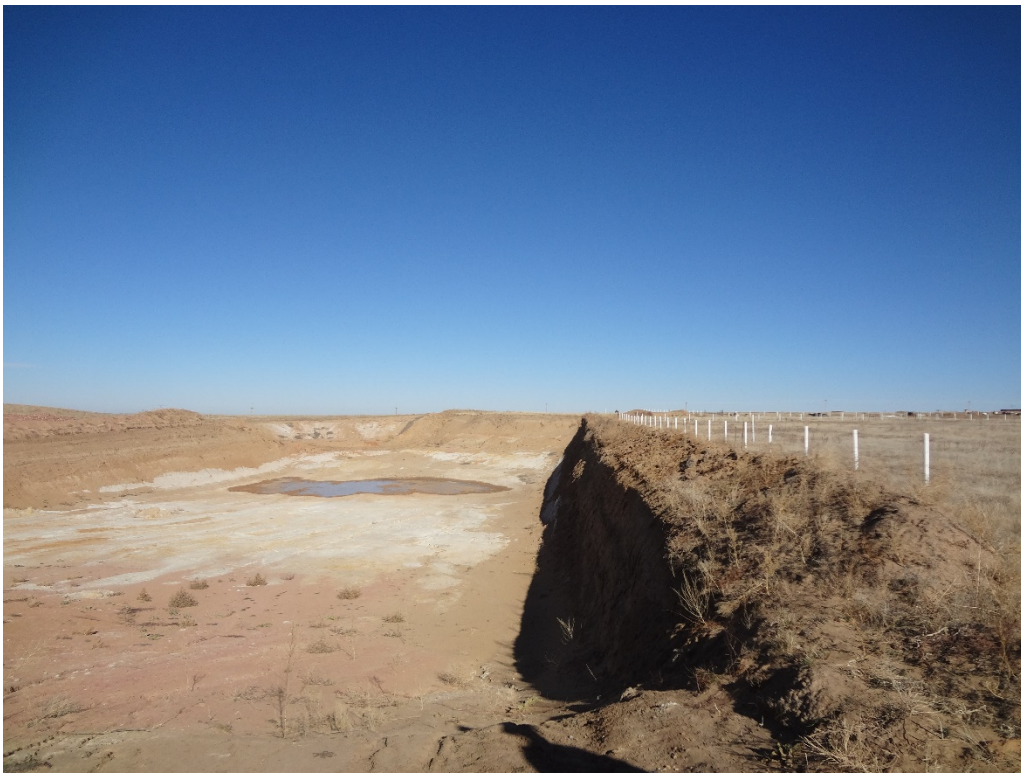


View of the reclaimed DWR west area from the SE corner looking NW





View of new stormwater detention pond in the DWR east area



View of highwall and pit floor in the DWR east area from the southeast corner looking north





View of the pit, product stockpile and overburden stockpile in the DWR east area looking west from the southeast corner



View of the mining excavation from the northeast corner of the DWR east area looking south





DEB (east pit) mine sign



View of the DEB stockpile area from the detention pond looking north





View of the DEB excavation and reclaimed areas from the stockpile area looking east

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

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