



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.

MINE NAME: Bijou Clay Mine	MINE/PROSPECTING ID#: M-1997-007	MINERAL: Clay (general)	COUNTY: Elbert
INSPECTION TYPE: Monitoring	INSPECTOR(S): Patrick Lennberg	INSP. DATE: November 14, 2018	INSP. TIME: 11:45
OPERATOR: The Denver Brick Company	OPERATOR REPRESENTATIVE: Rob Tibbetts and Steve Helzer	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: None	BOND AMOUNT: \$196,124.37
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: December 7, 2018

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: Reclamation Success

PROBLEM/POSSIBLE VIOLATION: Problem: There are state-listed noxious weeds present on site. This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

CORRECTIVE ACTIONS: Implement approved weed control plan and provide proof to the Division that this has been done. If a weed control plan is not already in place, the operator shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 2/04/19

OBSERVATIONS

The Bijou Clay Mine site was inspected by Patrick Lennberg and Peter Hays with the Division of Reclamation, Mining and Safety (Division/DRMS) at the request of the Operator. The Operator requested the inspection to evaluate the site for final closure reclamation. The Operator was recently informed by The Denver Brick Company corporate office the Castle Rock brick plant would be shutdown permanently and the Bijou Mine site would be reclaimed prior to completing the approved Mining Plan or sold to another party. The Operator wanted to discuss the proposed final reclamation activities required to release the site with the Division ahead of a site visit with representatives from the corporate office later in the month. The site was previously inspected by the Division on November 15, 2017. Mr. Rob Tibbetts and Mr. Steve Helzer with The Denver Brick Company were present during the inspection.

The site is an 112c Construction Materials permit for 33.75 acres for the mining of clay. The Division currently holds a financial warranty in the amount of \$196,124.37, which appeared adequate to reclaim the current site disturbance. A mine sign and boundary markers were observed as required by Rule 3.1.12.

The site was inactive during the inspection. There was front-end loader in the stockpile area. Material from the site is transported off-site for processing and the production of bricks. The site is divided into three (3) areas; a stockpile area located in the center of the site, a partially reclaimed mining area north of the stockpile area and the current mining area south of the stockpile area.

The north mining area appears unchanged since the last inspection. The area consists of a basin with 3H:1V graded slopes on the north, south and west sides. The slopes were partially vegetated and contained numerous erosion rills and gullies. The Operator should consider inter-seeding with the approved seed mixture to promote additional plant growth and aid in slope stability. The east side of the basin consists of a berm with a stormwater outfall at the low part of the berm. This area will need to be graded, have topsoil placed, and revegetated.

The south mining area was mined this year continuing in the southwest corner of the area. The west and south slopes of the mined area were graded at the approved 3H:1V slope, however topsoil has not been replaced on the slopes. The Operator stated additional grading and contouring will be done in the area prior to placement of topsoil. Additionally the Operator is in discussion with the landowner to determine the location of an approved post mine stock pond. Once the location is agreed upon a the Division will require the Operator to submit a technical revision, pursuant to Rule 1.9, with the \$216 fee to update the approved Reclamation Plan and Map to reflect the proposed final reclamation of the site.

Noxious weeds:

Noxious weeds including diffuse knapweed and Canada thistle, Class B listed noxious weeds by the Colorado Department of Agriculture, were observed at the site and has been cited as a problem in this report. Noxious weed problems were noted in the 2017 inspection. A review of the Divisions records indicates that there is not an approved weed management and control plan for the site. Please develop a weed management and control plan to address noxious weeds at the site through a Technical Revision by February 4, 2019.

The option of transferring the reclamation permit to another mining company was discussed during the inspection. The Operator will be required to complete the succession of operator process, pursuant to Rule

1.12, if they elect to transfer the permit.

Photographs taken during the inspection are attached.

Please contact Patrick Lennberg (303)866-3567 ext. 8114 or email at patrick.lennberg@state.co.us if you have any questions regarding this report.

Inspection Contact Address

Ron Tibbetts
The Denver Brick Company
401 Prairie Hawk Dr.
Castle Rock, CO 80109

CC: Michael Cunningham, DRMS

PHOTOGRAPHS



Photo1: Mine permit sign



Photo 2: Topsoil stockpile located west side of stockpile area



Photo 3: Stockpiles and equipment



Photo 4: South mining area



Photo 5: South mining area with reclaimed slopes to the right



Photo 6: North mine reclaimed 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>Y</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>Y</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>PB</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

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Enclosure

CC: