



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: Patton Clay Mine	MINE/PROSPECTING ID#: M-1998-067	MINERAL: Clay (general)	COUNTY: Fremont
INSPECTION TYPE: Monitoring	INSPECTOR(S): Timothy A. Cazier	INSP. DATE: August 1, 2018	INSP. TIME: 10:00
OPERATOR: Summit Brick & Tile Co.	OPERATOR REPRESENTATIVE: Mike Leidich & Mark Jesik	TYPE OF OPERATION: 112c - Construction Regular Operation	
REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Partial Bond	BOND AMOUNT: \$49,000.00	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: Colo. Land Board	JOINT INSP. AGENCY: U.S.BLM	
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: January 11, 2019	

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: Revegetation

PROBLEM/POSSIBLE VIOLATION: Problem No. 1: Tamarisk (salt cedar) trees are present within or have volunteered into the Area A and are becoming established. This is a problem for failure to employ weed control methods for a 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: The operator shall either implement the existing weed control plan, or 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: 3/12/19

INSPECTION TOPIC: Signs & Markers

PROBLEM/POSSIBLE VIOLATION: Problem No. 2: The current affected area (Area F) boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the Area F boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done AND provide a written commitment to survey and place boundary markers for Areas A, B, C, D, E, G and H prior to initiating mining activities in those areas by the corrective action date.

CORRECTIVE ACTION DUE DATE: 3/12/19

OBSERVATIONS

This inspection was conducted by Tim Cazier (DRMS) as part of the regular monitoring program to assess compliance with the approved mine reclamation permit. Mr. Phil Courtney representing the State Land Board (SLB) and Ms. Amber Sanderson representing the Bureau of Land Management (BLM) were also present for the inspection. The Permittee (Summit Brick & Tile Co.) was represented by Messrs. Mike Leidich and Mark Jesik during the inspection. The Patton Clay Mine is accessed from Co Road 69, approximately seven miles northwest of Cañon City. This is a 112c clay mine. The mine was operating at the time of the inspection.

Availability of Records: Annual fees are paid through January 2019. The previous inspection was on June 19, 2014. The approved post-mine land use is rangeland. There were no open infractions prior to this inspection. The surface and minerals are a mixture of privately owned resources and those managed by both the federal government (BLM) and the State of Colorado (State Land Board). There have been no revisions to this permit to date.

Backfilling and Grading: No backfilling or grading had been initiated at the time of the inspection.

Explosives: The mine has filed a blasting plan with DRMS and blasting reports are kept on file in the main office.

Financial Warranty: The \$29,500 bond held by the Division is adequate for the observed mine disturbance.

Fish and Wildlife: No impact to wildlife was observed.

Hydrologic Balance: No standing water was observed in the pit and no exposed groundwater was observed.

Gen. Compliance with Mine Plan: The operation appeared to be in compliance with the approved mine plan. Google Earth was used to measure the disturbed area, which was measured by Ms. Sanderson (BLM) using a handheld GPS unit to be 3.25 acres, Area F (see attached **2018 Post Inspection Map**). Highwalls were benched and estimated to vary between 8 and 12 feet in height and appeared stable (see **Photo 1**).

Off-site Damage: The operation appeared to be confined to the permit boundary, based on Google Earth review.

Processing Waste: A stockpile of oversized rock was observed on the northwest side of where loader was working in Area F (see **Photo 2**). This is material scalped by the grizzly screen.

Roads: Haul and access roads did not appear to be a source of sediment that could be tracked offsite as the site is several miles from a paved road. The approved reclamation plan allows the roads to remain after final reclamation at the request of the Lessors for easier access to their grazing areas and possible fire fighting.

Reclamation Success: No reclamation has been initiated.

Revegetation: Some tamarisk were observed in Area A (see **Photos 3 and 4**). **The presence of tamarisk (or salt cedar, a noxious weed List B species) is cited as Problem No. 1 on page 1 of this report.** The Operator should implement a weed control program to control the tamarisk on site.

Sediment Control: No erosion problems were observed and no BMPs were needed at the time of the inspection.

Support Facilities On-site: A loader and grizzly screen were the only equipment observed on site.

Signs and Markers: The permit sign was properly posted (see **Photo 5**). Only three boundary markers were located and insufficient to delineate the affected area boundary as required. The Exhibit C mining map submitted with the permit application delineates three different boundary types: a) the permit boundary; b) affected area boundaries for areas A through H; and c) clay area boundaries for areas A through H. The DRMS regulations (C.R.S. 32-34-???) require the affected area boundaries be marked. As such, Area F (the current active area) is required to be marked. **The lack of markers delineating the Area F boundary is cited as Problem No. 2 on page 1 of this report.** The Summit Brick & Tile Co. will also need to commit to marking the other areas affected area boundaries prior to initiating mining in Areas A through E, G and H.

Permit Stipulations: Prior to conducting any mining in areas B,C,D,E,G, and H, the operator will submit an updated mining plan map which clearly details the mining plan as per areas A and F of the current Mine Plan Map.

Storm Water MGT Plan: No oil or fuel spills observed.

Topsoil: A topsoil stockpile was observed on the west side of the area being worked in Area F (see **Photo 6**).

Structures: No structures were observed within 200 feet of the affected area.

Please contact Tim Cazier (303)866-3567 ext. 8169 or email at tim.cazier@state.co.us if you have any questions regarding this report.

PHOTOGRAPHS



Photo 1. Benched highwall in Area F (looking NW).

PHOTOGRAPHS (cont.)



Photo 2. Loader using grizzly in Area F (note stockpile of oversized material beyond).



Photo 3. Tamarisk in Area A in access road (looking NE).

PHOTOGRAPHS (cont.)



Photo 4. Tamarisk in Area A in access road (looking south).



Photo 5. Permit sign at gate (looking west towards mine).

PHOTOGRAPHS (cont.)



Photo 6. Topsoil stockpile (looking west from east end of highwall).

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

ec: DRMS file
Mike Leidich (Summit Brick)
Phil Courtney, SLB
Stephanie Carter, BLM

Patton Clay Mine 2018 Post-Inspection Map






* Satellite Imagery from 6/15/2016

* Permit, Affected Area & Clay Area boundaries based on a combination of the 1998 permit application "Mining Map" overlaid using the 2018 BLM provided map.

* All boundaries are approximate

* Blue line in Area F delineates disturbance as recorded by the BLM on 8/1/2018

Legend

-  Affected Area
-  Clay Area Boundary
-  Lathe
-  Permit Boundary
-  T-post

