



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

April 21, 2021

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

Re: DDD, Permit No. M-1984-076, Status of Required Corrective Actions

Mr. McGraw:

The Division of Reclamation, Mining and Safety (Division) is providing the following status update on the corrective actions required by the inspection report mailed on April 20, 2021:

INSPECTION TOPIC: Right of Entry

PROBLEM #1: The Division has no evidence the operator has the legal right to enter to conduct mining and reclamation for all owners of record of the surface and mineral rights of the affected lands, as required by Rule 6.4.14 and C.R.S. 34-32.5-112(1)(c)(IV).

CORRECTIVE ACTIONS: By the corrective action date, the operator must provide documentation of its legal right to enter to conduct mining and reclamation for all owners of record of the affected land. This may include a copy of a lease, deed, abstract of title, a current tax receipt, or a signed statement by the landowner and acknowledged by a Notary Public stating the operator has the legal right to enter to conduct mining and reclamation.

CORRECTIVE ACTION DUE DATE: May 20, 2021

STATUS UPDATE: *On April 20, 2021, the operator provided the Division with copies of the lease agreements it has in place with the landowners of the affected lands, including for the DWR mine area (Matthew Faulhaber, Teodora Zimbeck, and Matthew McDonald) and the DEB mine area (Charles Green). Therefore, the Division considers Problem #1 to be abated.*

INSPECTION TOPIC: Financial Warranty

PROBLEM #2: The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) and Rule 4.2.1(1).

CORRECTIVE ACTIONS: The Division has re-evaluated the required financial warranty for reclaiming the site in accordance with the approved reclamation plan (see enclosed bond estimate). Any comments regarding the Division's bond estimate and/or evidence demonstrating reclamation work has been completed shall be submitted by the corrective action date. If, by the corrective action date, no comments or additional information has been received, a notice of surety increase will be mailed to the operator for the amount shown in the enclosed bond estimate. The operator will have 60 days from the date on the surety increase notice to post the additional financial warranty.



STATUS UPDATE: *The corrective action for Problem #2 has not been submitted.*

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129, or by email at amy.eschberger@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Amy Eschberger". The signature is written in a cursive, flowing style.

Amy Eschberger
Environmental Protection Specialist

Cc: Harold Stickler, General Shale Brick, Inc.
Michael Cunningham, DRMS