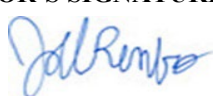




**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

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> DDD	<b>MINE/PROSPECTING ID#:</b> M-1984-076	<b>MINERAL:</b> Clay (general)	<b>COUNTY:</b> Elbert
<b>INSPECTION TYPE:</b> Monitoring	<b>WEATHER:</b> Clear	<b>INSP. DATE:</b> May 3, 2023	<b>INSP. TIME:</b> 11:15
<b>OPERATOR:</b> General Shale Brick, Inc.	<b>OPERATOR REPRESENTATIVE:</b> Jason McGraw	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> Complete Bond	<b>BOND AMOUNT:</b> \$305,289.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>INSPECTOR(S):</b> Joel Renfro Amy Eschberger	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> May 31, 2023	

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(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>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>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</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>Y</u>	

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

## **OBSERVATIONS**

The DDD site was inspected by Joel Renfro and Amy Eschberger with the Division of Reclamation, Mining and Safety (Division/DRMS) as part of the Division's routine monitoring program. This site was previously inspected by the Division on April 13, 2021. Jason McGraw with General Shale Brick, Inc. was present during the inspection. This site is split into two mine sites, the west pit called DWR Mine by the Operator and the east pit called DEB Mine by the Operator which are located about 1.5 miles apart. DDD is a 112c operation permitted for 80.53 acres; 39.06 acres for the DWR Mine and 41.47 acres for the DEB Mine. The operation mines clay for brick manufacturing. The site is located approximately 19 miles north of Elizabeth, CO at the northern edge of Elbert County. Each mine is accessed from the north off of Co Rd 194. Photos 1-19 taken during the inspection are included with this report.

No mining was occurring when inspecting the DWR Mine. However, according to the Operator, this site is active every year in accordance with its intermittent status. Currently there are two areas for clay stockpiling that the Operator is hauling from, located in the northwest and southeast areas of the permit area. There are topsoil stockpiles stored south of the northwestern clay stockpile area and north of the southeastern clay stockpile area. Scrap brick is being stockpiled in the southeastern stockpile area; this scrap brick has been approved for use in reclamation backfilling. An approved 0.68 acre clay lined pond is present north of the southeastern clay stockpile area. This pond will remain for final reclamation. There was no water in the pond at the time of inspection.

The Operator has begun reclamation on their affected mined pits located in the eastern portion of the DWR Mine permit area. The two pits observed during the Division's April 13, 2021 inspection were later mined through to create one single pit, elongated in a north-south direction. This pit was backfilled, with the slopes graded to 3H:1V, and the approximate 5 acre area drill seeded in May 2022. It appears the seed is establishing well so far. Dead kochia surrounded the slopes of the reclamation site, which is typical in this early stage of reclamation. The Division recommends the Operator continue to monitor revegetation success in the reclaimed pit area, implementing the approved weed control plan and interseeding, as necessary. Common mullein was found throughout the site, most concentrated in the undisturbed southwestern area of the permit. While common mullein is considered a noxious weed species, the Colorado Department of Agriculture identifies it as a List C Species, meaning it must be managed, but does not require eradication. It is apparent that the Operator has been actively treating the mullein and keeping it from spreading to their affected areas.

The Division estimates current disturbance at the DWR Mine to cover approximately 22.5 acres (including the 5 acre pit area undergoing revegetation). Reclamation of the DWR Mine would include ripping, topsoiling, and revegetating the roads and stockpile areas, approximated to be 16.82 acres (22.5 acres disturbed – 0.68 acre pond – 5 acre pit area). Interseeding may also be required in the 5 acre pit area to achieve successful revegetation in accordance with Rule 3.1.10(1). There appears to be plenty of topsoil on site for completing reclamation.

No mining was occurring when inspecting the DEB Mine. However, according to the Operator, this site is active every year in accordance with its intermittent status. Disturbance at this site can be split into two areas in the east and west. The eastern disturbance includes a pit that covers approximately 3.2 acres and is approximately 30 feet deep. The pit highwalls have slope gradients ranging from approximately 1H:1V to 2H:1V. A temporary channel has been excavated on the pit floor to drain the pit to the adjacent stormwater pond. This channel will be mined out during operations. A draw runs along the western and southern edges of the current mining area. This draw flows to the southeast but was dry during inspection, and is usually dry. There is a scrap brick and overburden stockpile area located south of the pit. This material will be used in reclamation. The western disturbance is used for stockpiling clay, overburden, and scrap brick. Two sediment

ponds have been constructed at the DEB Mine, one at the western edge of the mining area (approximately 0.95 acre in size) and the other at the southern edge of the clay stockpile area to the west (approximately 0.35 acre in size). The ponds were dry at the time of inspection. Topsoil is stockpiled along the northern edge of the permit boundary; these stockpiles are well-vegetated and stable.

The Division estimates current disturbance at the DEB Mine to cover approximately 23.5 acres. Reclamation of the DEB Mine would include backfilling the eastern pit highwall to 3H:1V (due to its close proximity to the eastern permit boundary), grading other pit highwalls to 3H:1V using cut/fill methods, backfilling scrap brick into the pit, backfilling the two storm water ponds, and ripping up the stockpiling areas and roads (approximately 19 acres). The entire disturbed 23.5 acres will need to be topsoiled and revegetated. There appears to be plenty of overburden, scrap brick, and topsoil available on site to complete reclamation.

The Division currently holds a reclamation bond for this site in the amount of \$305,289.00. This amount is considered sufficient at this time for completing reclamation of the site in accordance with the approved reclamation plan. The DWR Mine was initially bonded for 19.8 acres to reclaim; however, as noted above, the pit area has been backfilled and graded, and the approximate 5 acre area has been seeded. Accordingly, DDD may qualify for a surety reduction if the Operator chooses to submit a request (see enclosed form).

This concludes the report.

*Any questions or comments regarding this inspection report should be forwarded to Joel Renfro at the Colorado Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at (303) 866-3567 ext. 8147, or email at [joel.renfro@state.co.us](mailto:joel.renfro@state.co.us).*



## PHOTOGRAPHS



**Photo 1.** DDD West (DWR) permit sign.



**Photo 2.** Clay and scrap brick stockpiles stored in southeast area, looking northwest at DWR.





**Photo 3.** Clay and scrap brick stockpiles stored in southeast area, looking north at DWR.



**Photo 4.** Clay stockpiles in northwest area, looking north at DWR. Access road on the right. Picture taken on top of topsoil stockpile.





**Photo 5.** Topsoil stockpile in southeast area, looking east at DWR.



**Photo 6.** Pit in reclamation, looking north at DWR.





**Photo 7.** Pit in reclamation, looking south at DWR.



**Photo 8.** Pit in reclamation, looking north at DWR.





**Photo 9.** Common Mullein in southwest undisturbed permit area. Looking west at DWR. Mullein is actively being treated.



**Photo 10.** DDD East pit (DEB) sign.





**Photo 11.** DDD East Pit (DEB) permit sign.



**Photo 12.** East pit and scrap brick stockpile, looking south at DEB. Note temporary channel on the right, this will be mined out.





**Photo 13.** Southern edge of east pit, looking east at DEB.



**Photo 14.** Topsoil stockpile stored along northern permit boundary, looking northwest at DEB.





**Photo 15.** Scrap brick pile north of pit, looking east at DEB



**Photo 16.** Stormwater pond (dry) located west of eastern disturbance area, looking southwest at DEB.





**Photo 17.** Large overburden pile in western disturbance area, looking west at DEB.



**Photo 18.** Clay stockpiles in western disturbance area, looking north at DEB.





**Photo 19.** Stormwater pond (dry) located south of clay stockpile area in western disturbance, looking southeast at DEB.



**Inspection Contact Address**

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

Enclosure(s): Release request form

CC: Harold Stickler, General Shale Brick Inc.  
Amy Eschberger, DRMS



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

**REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION**

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

\_\_\_\_\_

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

\_\_\_\_\_

I wish to release \_\_\_\_\_ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

\_\_\_\_\_

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M \_\_\_\_\_

Site Name: \_\_\_\_\_

County: \_\_\_\_\_

Permittee: \_\_\_\_\_

Permittee Address: \_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)



Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

Certified Mail # \_\_\_\_\_

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

\_\_\_\_\_  
Signature of Permittee, Operator or their authorized agent      Date

*Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.*