



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

August 2, 2023

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

Re: Navajo Clay Pit, Permit No. M-1993-004, Approval of Corrective Action Date Extension

Dear Mr. McGraw:

On August 2, 2023, the Division of Reclamation Mining and Safety (Division) received your request to extend the corrective action date for the following problems identified in the Division's May 3, 2023 inspection report:

INSPECTION TOPIC: Gen. Compliance With Mine Plan

PROBLEM/POSSIBLE VIOLATION: Problem #1 - The current mining plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112(1)(c)(VI) and Rule 6.4.4. The operator must provide sufficient information to describe or identify how the operator intends to conduct the operation.

CORRECTIVE ACTIONS: By the corrective action due date, the operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved mining plan in accordance with Rule 6.4.4 to reflect existing and proposed activities. Specifically, the mining plan needs to be updated to describe the stormwater management plan for the site, including all water diversions and impoundments. This revision must also include an updated mining plan map that meets the requirements of Rules 6.2.1(2) and 6.4.3. All stormwater management structures must be shown on the updated map.

NEW CORRECTIVE ACTION DUE DATE: August 31, 2023

INSPECTION TOPIC: Gen. Compliance With Reclamation Plan

PROBLEM/POSSIBLE VIOLATION: Problem #2 - Failure to follow approved reclamation plan, or current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116 and Rule 6.4.5. The operator must follow approved reclamation plan or provide sufficient information to describe or identify how the operator intends to conduct reclamation.

CORRECTIVE ACTIONS: By the corrective action due date, the operator shall submit a Technical Revision, with the required \$216 revision fee, to update and clarify the current approved reclamation plan in accordance with Rule 6.4.5 to reflect existing and proposed activities. Specifically, the reclamation plan needs to be updated to describe how stormwater



management structures at the site (e.g., ditches, rock check dams, pond) will be reclaimed. If any of the stormwater management structures are proposed to remain for reclamation, or any other changes are proposed in the updated reclamation plan, the revision must also include an updated reclamation plan map that meets the requirements of Rules 6.2.1(2) and 6.4.6. The operator should be advised, any proposal to leave a structure for reclamation must include a notarized letter from the landowner acknowledging their desire to leave such structure. This corrective action may be submitted with the same Technical Revision required for Problem #1 above.

CORRECTIVE ACTION DUE DATE: August 31, 2023

INSPECTION TOPIC: Financial Warranty

PROBLEM/POSSIBLE VIOLATION: Problem #3 - 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 recalculated the required financial warranty for reclaiming the site in accordance with the approved reclamation plan (see enclosed bond estimate). However, as noted in Problem #2 above, the reclamation plan needs to be updated. Therefore, the Division will re-evaluate the required financial warranty during its review of the Technical Revision to be submitted for Problems #1 and #2. The required revision must include an updated bond estimate that meets the requirements of Rule 6.4.12.

CORRECTIVE ACTION DUE DATE: August 31, 2023

The Division has approved your extension request, giving the new corrective actions due dates listed above. If you require additional information, or have questions or concerns, please feel free to contact me by phone at (303) 866-3567, ext. 8147, or by email at joel.renfro@state.co.us.

Sincerely,



Joel Renfro
Environmental Protection Specialist

Cc:

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