



December 15, 2023

Houston Walker  
General Shale Brick, Inc.  
1845 W Dartmouth Ave  
Denver, CO 80110

**Re: Inspection Problems Cited in the Report for the July 24, 2023 Inspection of the Tomahawk Mine, No. M-1991-003, Corrective Actions: Pending Revisions Required, Resolved Until Further Notice**

On December 15, 2023, the Division received the Operator's responses to the Division's updated corrective action requirements and have determined the following:

1. Division's Updated corrective action:

***"UPDATED CORRECTIVE ACTIONS:*** *As you stated, the Tomahawk Mine is operated as a campaign mine (approximately on a five year basis), in which active blasting and extraction is not anticipated for the next few years. Because the Operator is actively working on amending the permit, and does not anticipate blasting for the next few years, the Division will resolve this problem if the Operator commits, in writing, to submitting a geotechnical stability exhibit and blasting plan prior to reinitiating extraction at the site."*

***Operator's Response:*** *"General Shale commits to submitting a geotechnical stability exhibit and blasting plan prior to reinitiating extraction at the site."*

***Division's Response:*** *The Division will honor the Operator's commitment to submitting a geotechnical stability exhibit and blasting plan prior to reinitiating extraction at the site, and considers this problem resolved until further notice.*

2. Division's Updated corrective action:

***"UPDATED CORRECTIVE ACTIONS:*** *Upon additional review of the permit file and the approved mining plan, the Division interprets the entire permitted area to be approved to be affected. However, per the mining plan, prior to affecting areas outside of the Phase boundaries, a Technical Revision would be submitted and would include updated mining and reclamation plans. Also, per the mining plan, the maximum allowed disturbance at any one time is 21.0 acres.*

*To abate the inspection problem, and to refine the shape of the Phased areas as you have requested, please submit a Technical Revision to:*

- *Address the change in shape of the boundaries within/around the Phases.*



- *Update mining and reclamation plans, mining and reclamation plan maps, and any other relevant exhibits of the 112c permit.*
- *Explain how you will stay out of the drainages. If you choose to include buffer areas, please indicate how these will be marked in the field.*
- *Determine a current estimate of maximum acreage to be disturbed at any one time if it differs from the currently approved 21 acres.*
- *Indicate any changes to the order of operations at the site.”*

Operator’s Response: “General Shale is continuing to work on amending the Tomahawk Mine permit. The items mentioned above will be covered in the permit amendment. Rather than doing this work twice General Shale would prefer to update these items with the permit amendment. The next mining campaign is approximately in 5 years and General Shale does not anticipate mining in the next 5 years. General Shale commits to submitting updated mining and reclamation plans, mining and reclamation plan maps, and any other relevant exhibits of the 112c permit prior to reinitiating extraction at the site. These plans would detail how we will stay out of the drainages, update the maximum disturbed acreage, and any other changes to the permit.”

Division’s Response: The Division will honor the Operator’s commitment to submitting updated mining and reclamation plans, mining and reclamation plan maps, and any other relevant exhibits of the 112c permit prior to reinitiating extraction at the site, and considers this problem **resolved** until further notice.

If you have any questions, please contact me via email at [amber.gibson@state.co.us](mailto:amber.gibson@state.co.us), or call me at 720-836-0967.

Sincerely,



Amber M. Gibson  
Environmental Protection Specialist

Ec: Jason McGraw, General Shale Brick, Inc.  
Jared Ebert, DRMS