



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: May 13, 2010

Agenda Item No. 3: Acceptance of Inspection Report for the Richmond (Chevron) Quarry (CA Mine ID #91-07-0006), Mr. Brian Peer (Agent), Dutra Materials (Operator), City of Richmond.

INTRODUCTION: The State Mining and Geology Board (SMGB) is the lead agency pursuant to the Surface Mining and Reclamation Act (SMARA) for the City of Richmond. At its March 11, 2010, and April 15, 2010, regular business meeting, the SMGB deferred acceptance of the 2009 inspection report for the Richmond Quarry, located in the City of Richmond, until comments received during the meetings could be reviewed and addressed, if deemed necessary. Such comments have been reviewed by SMGB staff and discussed with the Operator's reclamation plan consultant, and revisions to the inspection report have been completed.

DISCUSSION: At the regular business meeting of the SMGB on March 11, 2010, the 2009 Annual SMARA Inspection Report for the Richmond (Chevron) Quarry was presented by SMGB staff. Following the presentation, Ms. Mignone Wood of LSA Associates, representing the Operator of the Richmond (Chevron) Quarry, made several comments regarding the content and findings of the 2009 inspection report. Comments focused on the subject areas of site chronology, mining cessation date, status of the quarry floor (i.e. areas deemed reclaimed versus remaining disturbed), reported disturbed acreage, reported reclaimed acreage and a noted corrective measure relating to revegetation. In addition, board member Baca recommended that an additional corrective measure be included regarding the need for development of an Amended Reclamation Plan for the site that incorporates a strategy for stabilization of the failed quarry cut slope.

No written comments were received from the Operator following the March 11, 2010 meeting. After reviewing the audio files for the meeting, the inspection report was revised as deemed appropriate by the inspector. Specifically, the date for cessation of extraction related activities was corrected, the disturbed acreage and reclaimed acreage amounts were revised based on information on file with the SMGB, an additional corrective measure was added regarding the need for development of an Amended Reclamation Plan that includes a slope stabilization strategy and the corrective measure regarding ongoing revegetation activities was modified.

At the SMGB's April 15, 2010, regular business meeting the revised 2009 inspection report was again considered for acceptance. At such time, Ms. Wood made oral comments to the



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SMGB on behalf of the Operator. Remaining issues raised included an apparent miscalculation of reported disturbed acreage, and ongoing disagreement with the inspector's conclusions regarding the status of operations within portions of the mine property (i.e. reclaimed versus disturbed). Based in part on comments received the SMGB again voted to defer acceptance consideration of the 2009 inspection report to the following regular business meeting.

Based on additional review of SMGB files, review of the audio files for the April 15, 2010, regular business meeting and on an April 20, 2010, telephone conversation with Ms. Wood regarding site-specific acreages, the inspector has completed additional revisions to Sections 5.0 (Disturbed Area) and 6.0 (Reclaimed Area) of the 2009 inspection report. After considering existing conditions at the Richmond (Chevron) Quarry site and the requirements of the currently approved Reclamation Plan, the inspector has determined that no further revisions are necessary, and that the 2009 inspection report is complete and accurate.

RESULTS OF 2009 MINE INSPECTION:

Richmond (Chevron) Quarry (CA Mine ID #91-07-0006), City of Richmond:

The following violations, originally noted in 2005, were ongoing at time of inspection on December 22, 2009:

- The west-southwest facing quarry cut slope shows evidence of failure and is considered to be unstable.
- Mining-related activities (slope instability features) are beyond the footprint of the approved reclamation plan.

The following corrective measures are noted:

- The operator should develop an Amended Reclamation Plan that includes a strategy for stabilization of the failed quarry cut slope.
- Slope stability monitoring on the west-southwest facing cut slope should continue until a stabilization strategy is implemented. Such slope stability monitoring should continue to be performed by a California licensed geotechnical engineer and/or certified engineering geologist.
- Until an Amended Reclamation Plan is approved, revegetation success monitoring should remain ongoing in order to ensure that criteria set forth in the currently approved 1981 Reclamation Plan continue to be met.

The following recommendation is offered:

- The financial assurance amount should be adjusted, as appropriate, to reflect stabilization of the quarry cut slope, reclamation of all remaining mining-related disturbance-including reclamation of remaining portions of the quarry floor, potential additional revegetation efforts, monitoring requirements, and current labor, fuel, and equipment rates.

SUGGESTED MOTION LANGUAGE:

To accept the inspection report:

Mr. Chairman, in light of the information before the SMGB today, I move that the SMGB accept the 2009 SMARA mine inspection report for the Richmond (Chevron) Quarry, and transmit the findings to the local lead agency and to the mine operator.

Respectfully submitted:

Stephen M. Testa
Executive Officer