

ERP

Randy Schafer
40586 Co. Rd. 21
Haxtun, CO 80731

May 16, 2014

Mr. Elliott Russell
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

✓ **RE: MMM Partnership, LLP., MMM Partnership Gravel Pit, File No. M-2006-042, 110c to 112c
Permit Conversion Application Adequacy Review, Second Letter**

Dear Mr. Russell:

This letter is in response to your letter dated April 22, 2014 and adequacy concerns for the conversion of the MMM Partnership Gravel Pit. Each of your concerns is listed as specified in the letter. Our responses are given in bold.

Concerns:

Based on the pre-operational inspection, conducted on April 10, 2014, the Division noted that proposed mining activities could cause a potential for offsite impacts; it was observed that the mine site is uphill of two ephemeral drainages. Due to topography, there could be a potential for the transport of sediment down into these drainages during a storm event.

6.4.5 Exhibit M – Other Permits and Licenses

1. In the conversion application, the Applicant stated that a NPDES permit to cover storm water runoff and dewatering is not required. Please supply further information and data to justify that "all storm water will soak into the ground before it can leave the site." In lieu of this data, commit to obtaining a Stormwater Discharge Permit. Please contact the Water Quality Control Division of the Colorado Department of Public Health and Environment (CDPHE) for further information regarding this permit.

After re-investigating the requirements of the Colorado Department of Public and Health and Environment, we are still of the opinion that a NPDES permit is not required because no discharge is planned at this operation. Based upon the criteria in the DPHE fact sheets on Stormwater Management Plans, we have prepared a Stormwater Management Plan utilizing best management practices which will be employed at this site.

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DIVISION OF RECLAMATION
MINING AND SAFETY

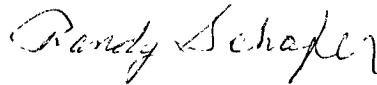
2. As per Rule 3.1.6(3), all surface areas of affected lands shall be stabilized and protected to control erosion. Please supply a narrative, or a copy of the storm water management plan of the Stormwater Discharge Permit if necessary, on how you will control erosion and mitigate the potential for any offsite impacts as mentioned above.

Attached is the narrative of the internal Stormwater Mangement Plan prepared for theMMM Partnership gravel pit.

Please let us know if any additional information is needed in response at this time.

Our hope would be that if all concerns have been addressed and reclamation cost requirements can be agreed upon , the Division could approve the permit prior to the deadline.

Sincerely,

A handwritten signature in cursive script that reads "Randy Schafer".

Randy Schafer

CC: Mr. Mark Kokes, MMM Partnership
Logan County Clerk

Enclosures: A copy of internal Stormwater Management Plan and maps

Best Management Practices
Stormwater Management Plan
MMM Partnership Gravel Pit (M-2006-042)
May 16, 2014

1. Site Map

Attached are two maps showing the MMM Partnership gravel pit site. The maps are from the site's mined land reclamation permit application and show the mining plan and the proposed reclamation plan at the site.

The MMM Partnership gravel pit is currently being expanded to 27.8 acres. Approximately 6.4 acres serves as a buffer around the perimeter, leaving a net acreage of 21.4 acres. A large portion of the original 9.9-acre permit was mined and restored before this expansion.

Mining will occur in the S 1/2 of the NW 1/4 of Section 34, T12N, R49W of the 6th P.M., Logan County, Colorado. The acreage is part of a sloping hillside within the 240-acre parcel owned by MMM Partnership in this section. An intermittent drainage flows southeasterly along the south boundaries of the MMM Partnership pit. Except for periods of heavy rainfall, the site remains dry.

Stormwater may pass south of the site down the intermittent drainage known as McCracken Draw. No processing of material will occur at the site. There are no springs, streams, wetlands, or other surface waters at the site. There will be no process water used in the operation.

Mining will occur on a limited basis, primarily as material is needed to maintain roadways in the immediate area.

Logan County Road and Bridge has operated another gravel pit immediately southeast of the MMM Partnership pit since 1978. No stormwater issues have occurred from that operation.

2. Potential Pollutant Sources/Material Inventory

No new haul roads are being created. This is a small gravel pit where mining will occur and gravel will be hauled from the site for immediate consumption. There will be no equipment washing, vehicle maintenance or fueling, incineration, waste treatment, storage or disposal, or shipping/loading/unloading at this site. All equipment to be used at the site is maintained offsite. Equipment will only be at the site when mining occurs. At all other times, it will be stored and maintained off premises.

3. Stormwater Quality Controls

Because no potential pollutant sources will be on site, no specific stormwater quality controls are proposed

a) SWMP Administrator

Mark Kokes, president of MMM Partnership, is the responsible party for all stormwater management practices at the site.

b) Materials Handling and Spill Prevention

No polluting materials will be stored at the site. The limited use of this pit dictates that equipment will only be at the site when mining occurs, then be taken offsite.

c) Erosion and Sediment Control

MMM Partnership owns the entire pastureland around the gravel pit. For many years, they have employed best management grazing practices to minimize potential soil erosion from heavy rainfall. That practice is primarily maintaining adequate grass cover by reducing grazing in times of low moisture.

Stockpiling of gravel will only occur for short periods. The material is moved off-site soon after stockpiling has occurred. When stockpiling does occur, it will be outside any potential flow area. The ultimate reclamation plan when the pit closes is to return the acreage to pasture land. The primary use of the land owned in this area by MMM Partnership is grazing cattle. The pit will be ultimately seeded as recommend by the Natural Resource Conservation Office. To minimize any possibility of erosion from heavy rainfall, MMM Partnership plans to utilize straw bales with "T" posts or earthen berms at the bottom of those areas being mined. These practices should prevent erosion issues resulting from significant rain events.

d) Testing for Non-Stormwater

Multiple visits to the site have shown the area to completely dry, with no stormwater of any nature. There are no buildings or facilities near the site that might cause non-stormwater discharge. Thus, no testing has occurred.

Mining Plan

- 1) Topsoil will be stripped and stockpiled for use in reclamation.
- 2) Material will be removed from Knolls and gravelly fingers

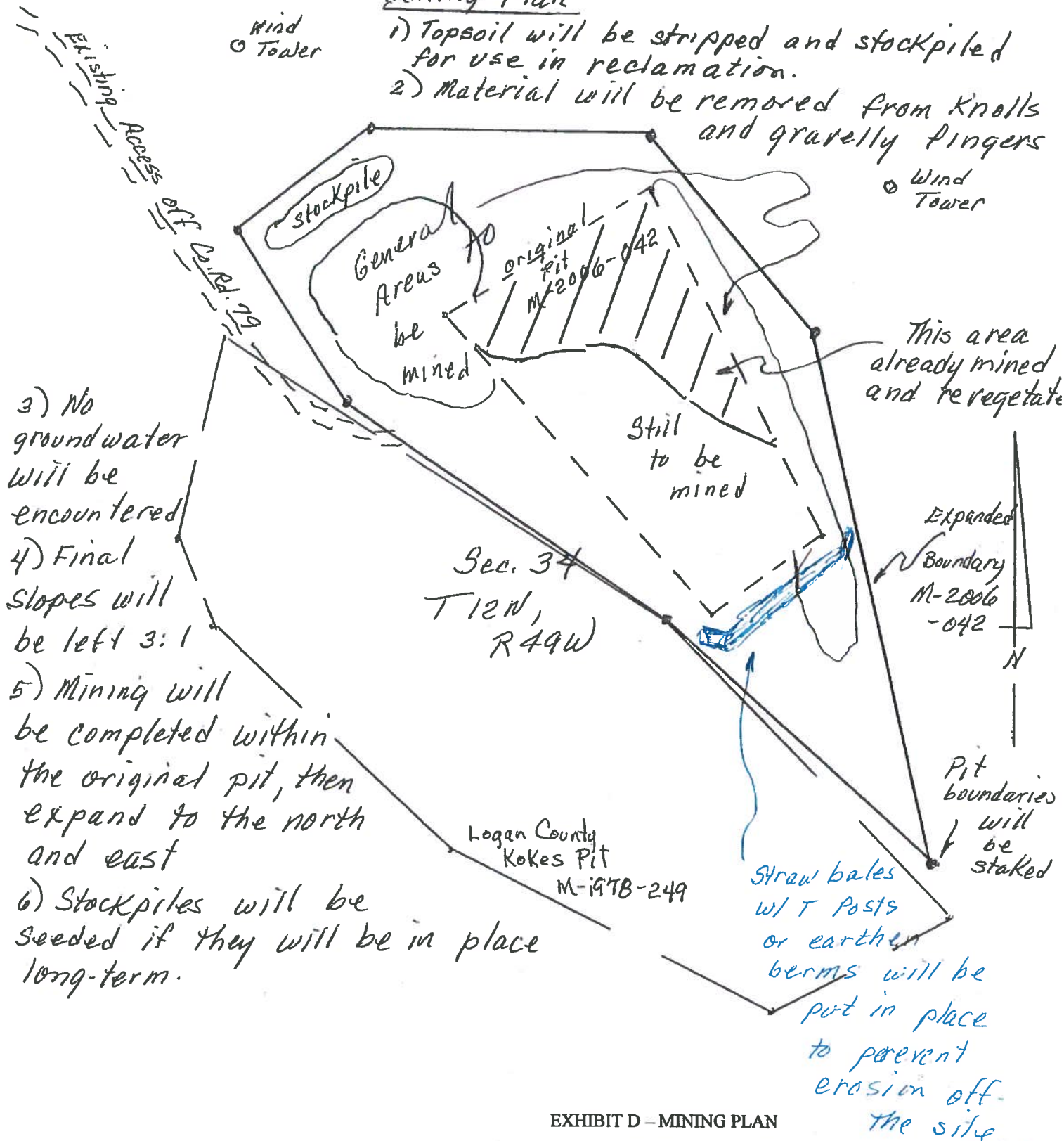


EXHIBIT D - MINING PLAN

OPERATOR - MMM Partnership.
 SCALE 1" = 300'
 DATE February 20, 2014
 SECTION 34, S 1/2 NW 1/4
 TOWNSHIP 12N
 RANGE 49W
 COUNTY Logan County
 PREPARED BY *Randy Schofer*
 MMM Partnership Gravel Pit M-2006-042

5/19/14

Reclamation Plan

- 1) Final slopes to be left no greater than 3:1
- 2) Slopes will be graded, then stockpiled topsoil applied (approx 2-3")

- 3) Manure will be applied to the site and incorporated
- 4) Seed will be applied as recommended by NRCS
- 5) Area will be mulched with clean straw and crimped.
- 6) Final slopes will run south to southeast.
- 7) Seeded area will be protected from grazing until vegetation is established.

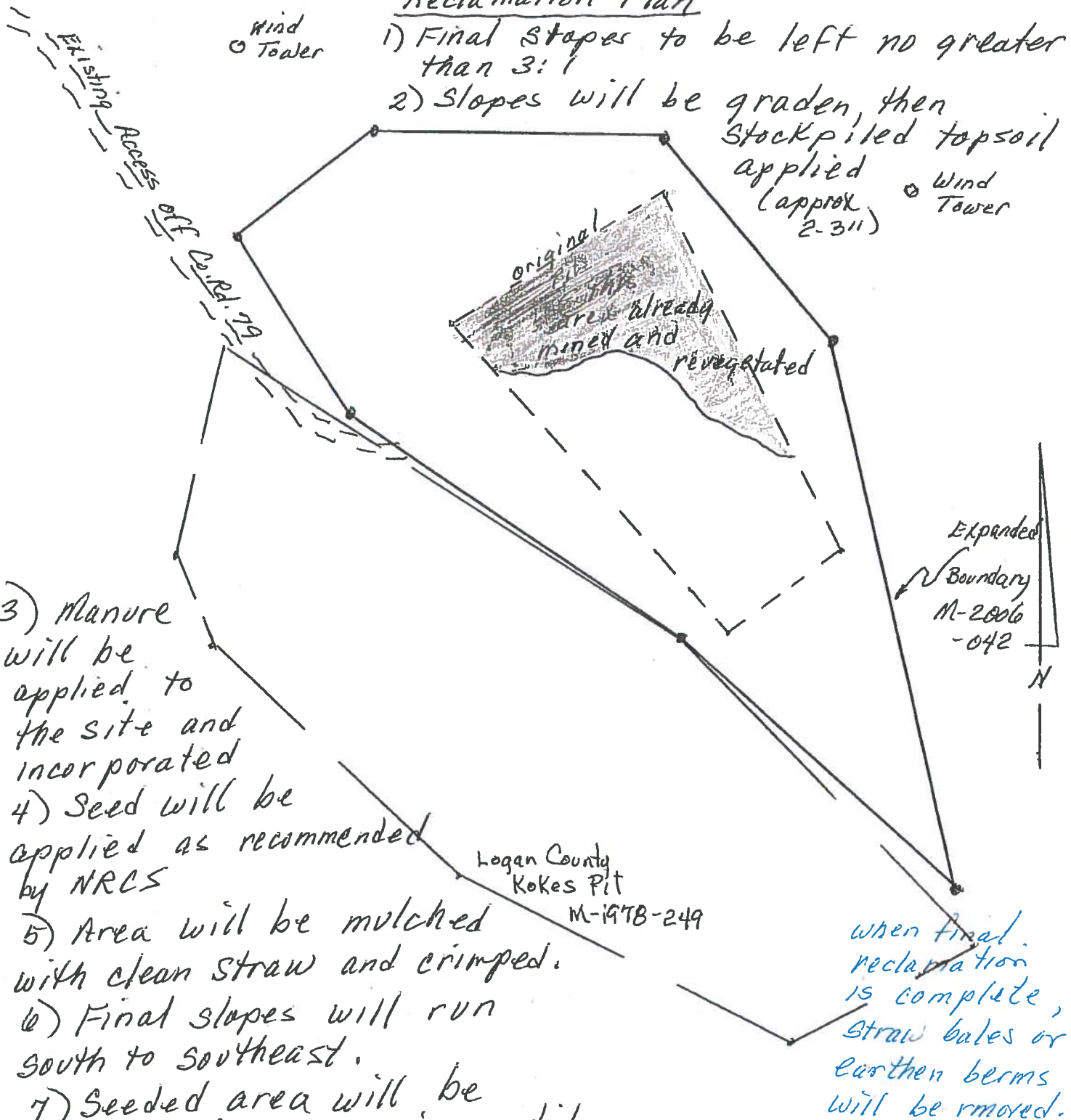


EXHIBIT E - RECLAMATION PLAN

OPERATOR - MMM Partnership.
 SCALE 1" = 300'
 DATE February 20, 2014
 SECTION 34, S 1/2 NW 1/4
 TOWNSHIP 12N
 RANGE 49W
 COUNTY Logan County
 PREPARED BY Randy Schaefer
 MMM Partnership Gravel Pit M-2006-042

5/14/14
RS