



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

July 10, 2017

Matthew Welte
Summit Brick & Tile Co.
P.O. Box 533
Pueblo, CO 81002

**RE: Incompleteness Notice, 112c Construction Materials Amendment Application (AM-01)
Fox #1 Clay Mine, Permit No. M-1977-219**

Dear Mr. Welte,

On June 30, 2017, the Division of Reclamation, Mining and Safety (Division) received the Construction Materials Regular 112c Operation Reclamation Permit Amendment Application (AM-01) for the Fox #1 Clay Mine, File No. M-1977-219. Review of this application determined the following items must be received before the Division can consider the application as being submitted/filed and the technical review can begin. Please respond to this Incompleteness Notice with the requested additional/updated information on permit replacement pages and summarize each response in a cover letter titled "Incompleteness Response AM-01, M-1977-219".

GENERAL

1. In accordance with Rule 1.6.2(1)(b), you submitted a signed affidavit that a notice sign was posted at the proposed permit area. The Division is unable to determine if multiple notice signs were posted, as required by Rule 1.6.2(1)(b). Please provide a map which approximates the locations of the notice signs. To clearly identify the site, Division recommends posting at least the following: one notice sign every quarter mile along Siloam Road, two notice signs along the northern proposed permit boundary with one being located within proximity of County Road 202 in the northwest corner of the site, and four notice signs in the south and southwest portion of the proposed site. Please provide a photograph or a detailed description of one of the notice signs that are posted.

EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9):

2. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy. Please submit proof that the public review copy has been updated or a copy of the response to this Incompleteness Notice has been added to it.

Your 112c AM-01 Application will not be considered submitted/filed until the information listed above is received and found sufficient to begin our review. Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division shall deny the application and terminate the application file.



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The response to this Incompleteness Notice is due on or before September 8, 2017.

This letter shall not be interpreted to mean that there are no other completeness issues or technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

Cc: Wally Erickson, Division of Reclamation, Mining & Safety
Steve O'Brian with Environment, Inc., 7985 Vance Dr., #205A, Arvada, CO 80003