



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

1313 Sherman Street, Room 215
Denver, CO 80203

October 13, 2017

John Conlin
Aggregate Industries – WCR, Inc.
1687 Cole Blvd, Suite 300
Golden, CO 80401

RE: Irwin/Thomas Mine; DRMS File No. M-2016-054; Notice of Application Denial

Dear Mr. Conlin,

The 112c application for the Irwin/Thomas Mine, M-2016-054, was filed for review on October 11, 2016. On October 6, 2017, the Office received a request for extension of the decision date to October 31, 2017.

Pursuant to Rule 1.4.1(9), the Office is not authorized to approve extension requests beyond the 365th day of filing, beyond October 11, 2017. Pursuant to Rule 1.4.8(1), the Office is mandated to render a decision on or before the decision date. On October 11, 2017, the Applicant had not satisfied all of the adequacy issues previously raised by the Office. The unresolved adequacy issues include, but are not limited to, the following:

1. The Applicant did not adequately demonstrate how disturbances to the prevailing hydrologic balance of the affected land and the surrounding area will be minimized during a flood event.
2. The Applicant did not adequately demonstrate through an appropriate engineering analysis that permanent man-made structures within 200 feet of the affected area would not be damaged by activities occurring at the mine site.

On October 11, 2017, the Office determined the application for M-2016-054 did not satisfy the requirements of C.R.S. 34-32.5-115(4)(c),(e) and (g), and 34-32.5-116(4)(h),(i) and (j), and denied the application.

Pursuant to Rule 1.4.12, this matter will be scheduled for consideration by the Mined Land Reclamation Board (Board). Notice of the Board hearing date, time and location will be provided as soon as such may be determined. As the Office has rendered a decision on the application the review period has concluded and the Office will not review any materials related to this application until such time as the Board considers this matter.

Sincerely,

Michael A. Cunningham
Environmental Protection Specialist

CC: Bill Schenderlein, Blue Earth Solutions, LLC

