



COLORADO

Division of Reclamation,
Mining and Safety

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

January 24, 2018

John P. Ary
Fremont Paving & Redi-Mix, Inc.
839 MacKenzie Avenue
Cañon City, CO 81212

RE: Technical Revision (TR-05) Adequacy Review, Pueblo East Pit, Permit File No. M-2000-041

Dear Mr. Ary,

On January 3, 2018, TR-05 was filed with the Division addressing changes to the Reclamation Plan of the Pueblo East Pit, Permit No. M-2000-041. Please be advised that on February 2, 2018, the application for TR-05 may be deemed inadequate and denied unless the following adequacy items are addressed to the Division's satisfaction. Subsequent to receipt and review of the Operator's response to these items, the Division may identify additional items. Please respond to these adequacy issues with a letter summarizing each response, to the numbered items below, in a cover letter titled "Adequacy Review Response TR-05; M-2000-041".

1. The Operator proposes to import clean dirt, construction waste, and aged concrete to be placed in the mined out sections of the pit for backfill material. If the aged concrete contains non-epoxy-coated rebar, please discuss the handling procedures to minimize oxidation (removal, reduction of exposure, etc.).
2. The Division understands that an affidavit, certifying the material is clean and inert, will be signed prior to each backfill importation campaign, however, in accordance with Rule 3.1.5(9)(c), please submit an affidavit, signed by the permittee now, ensuring that any materials imported to the site for backfilling will be clean and inert.

This concludes the Division's adequacy review of this Technical Revision. As a reminder, please be advised the Pueblo East Pit Technical Revision may be deemed inadequate, and the request may be denied on February 2, 2018, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant a 30-day to the decision date. This will be done upon receipt of a written waiver of the Operator's right to a decision by February 2, 2018. The request must be received no later than the deadline date. Please note, a request for additional time will waive the automatic approval clause within Rule 1.9.1 and the new decision date will no longer have the same clause.

If you need additional information or have any questions, please contact me.

Sincerely,

Elliott R. Russell
Environmental Protection Specialist

CC: Wally Erickson, Division of Reclamation, Mining & Safety

