



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

1313 Sherman Street, Room 215
Denver, CO 80203

April 27, 2018

Ben Langenfeld
Greg Lewicki and Associates
3375 W. Powers Circle
Littleton, CO 80123

RE: Douglas Mountain Ranch Mine; DRMS File No. M-2018-016; Receipt of 112
Construction Materials Reclamation Permit Application Package

Dear Mr. Langenfeld,

On April 18, 2018 the Division of Reclamation, Mining and Safety (Division) received your 112 Construction Materials Reclamation Permit Application package for the Douglas Mountain Ranch Mine, File No. M-2018-016. Preliminary review of the information received determined that the following items must be received before the Division can consider your application as being submitted and technical review can begin:

Application Form

1. The Applicant's name is listed on the Application Form as 'Empire Aggregates, Inc.'. A search of the Colorado Secretary of State (SOS) database found this company name has not been registered to do business in Colorado. However, a company with the name of 'Empire Aggregate, Inc.' is registered with the SOS. Please verify if the correct company name is 'Empire Aggregate, Inc.'. If so, please revise Pages 1, 3 and 8 of the Application Form. If the correct company name is 'Empire Aggregates, Inc.', then this company must be registered with the SOS before the Division can proceed with the review of this Application.
2. The Operation name was not specified on Page 1 of the Application Form. The Application Exhibits refer to the Operation as the Douglas Mountain Ranch Mine. Please confirm this is the name the Applicant wishes to use for the proposed mine site.
3. The Applicant did not identify an inspection contact on Page 3 of the Application Form. Please identify an inspection for the operation, this will be the person the Division contacts for routine monitoring inspections.
4. The Applicant did not include a Corporate Seal on Page 8 of the Application Form. Please revise Page 8 to include a Corporate Seal. If the Applicant does not have a Corporate Seal, then write 'No Seal'.



6.4.18 Exhibit R – Proof of Filing with County Clerk and Recorder

5. The Applicant provided a FedEx receipt as proof the Application was placed with the Clear Creek County Clerk and Recorder. The FedEx receipt is not sufficient to demonstrate the Application was placed with the Clear Creek County Clerk and Recorder. In addition, the Division received verbal confirmation from the Clear Creek County Clerk and Recorder's office that a copy of the Douglas Mountain Ranch Mine Application was not available for public review. As required by Rule 6.4.18, provide an affidavit from the County Clerk and Recorder which indicates the date on which the Application was placed for public review.

Your application will not be considered submitted until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt of all of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. This notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date your application is considered submitted. We will notify you when you should initiate republication of your notice. The final date for receiving comments is the 20th day after the fourth publication or the next regular business day.

You have sixty (60) days from the above date to submit all necessary documents that the Office 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 Office, the Office shall deny the application and terminate the application file.

This letter shall not be construed to mean that there are no other 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 have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in blue ink, appearing to read "M.A. Cunningham".

Michael A. Cunningham
Environmental Protection Specialist

CC: Wally Erickson, DRMS