



## COLORADO

Division of Reclamation,  
Mining and Safety

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

July 2, 2018

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

**RE: Technical Revision (TR-02) Adequacy Review, State Pit, Permit File No. M-1990-112**

Dear Mr. Ary,

On June 4, 2018, TR-02 was filed with the Division addressing revisions to the Mining and Reclamation Plans of the State Pit, Permit No. M-1990-112. Please be advised that on July 4, 2018, the application for TR-02 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-02; M-1990-112".

1. The updated Mine Plan Map and Reclamation Plan Map submitted with TR-02 show four 100-acre polygons. Please number/name these phases on the maps (i.e. 1, 2, 3, and 4; a, b, c, and d; etc.). Please note, the previously mined areas located north of these polygons will also need to be identified as phase(s) as well.
2. Please clarify if the Operator intends to conduct the mining operation in a phased bonding approach. If the Operator proposes to have a phased mining/bonding operation, please commit to contacting the Division for approval prior to advancing into an un-bonded phase. The request will include the estimated reclamation costs that would be required for opening the additional phase. The Division will review and calculate a new final warranty amount, issuing a Surety Increase revision if necessary. Once the additional amount is posted the Operator will be approved for the new phase. Please note, the Applicant may submit a Surety Reduction request for specific reclamation tasks completed in previous or an Acreage Reduction request for portions of the affected lands where final reclamation has been achieved. Released amounts of financial warranty from these requests could be used to help off-set reclamation costs associated with the new phase.
3. The updated Mine Plan Map and Reclamation Plan Map submitted with TR-02 do not meet the minimum requirements of Rules 6.2.1(2), 6.4.3, 6.4.4, and 6.4.6. Please re-submit the updated Mine Plan Map(s) and Reclamation Plan Map which meet the requirements of the Rules.
4. During the February 28, 2018 inspection, the Operator stated a discharge permit from the Colorado Department of Public Health and Environment (CDPHE) had been obtained for the operation. Please include this information within the "Update Erosion Control Information" section of TR-02, thus updating information required by Rule 6.4.13.
5. Please submit a map in accordance with Rules 6.4.3(c), 6.4.3(f), and 6.4.7(2)(c), identifying all areas where the runoff from the affected lands will be managed through the use of the identified Best Management Practices.




July 2, 2018

Page 2 of 2

This concludes the Division's adequacy review of TR-02. As a reminder, please be advised the State Pit Technical Revision may be deemed inadequate, and the request may be denied on July 4, 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 extension 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,

A handwritten signature in blue ink, appearing to read "E. Russell", is positioned above the printed name.

Elliott R. Russell

Environmental Protection Specialist

CC: Michael Cunningham, Division of Reclamation, Mining & Safety