



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

1313 Sherman Street, Room 215  
Denver, CO 80203

October 19, 2018

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

**Re: Empire Aggregate, Inc.; Douglas Mountain Mine; M-2018-016; 112 Construction Materials Reclamation Permit Amendment Application Package (AM-01) - Second Incompleteness Notice**

Mr. Langenfeld,

On October 13, 2018, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 112 Construction Materials Reclamation Permit Amendment Application (AM-01) incompleteness response for the Douglas Mountain Mine. Review of the information received determined the following items must be received before the Division can consider the amendment application as submitted and technical review can begin:

**Amendment Application Form**

1. Please provide a brief narrative describing the proposed changes to the Douglas Mountain Mine application on Page 4, Item #16 of the amendment application form.

**6.4.18 Exhibit R - Proof of Filing with County Clerk and Recorder**

2. Please provide an affidavit or receipt indicating the date on which the revised amendment application documents were placed with the Clear Creek County Clerk and Recorder in response to this letter.

The amendment 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 amendment application submitted. This notice must be published once a week for four (4) consecutive weeks, starting within ten (10) days of the date your amendment application is considered submitted. We will notify you when you should initiate republication of your notice. The final date for receiving comments is the twentieth (20<sup>th</sup>) day after the fourth publication or the next regular business day.




You have sixty (60) days from the date of this letter to submit all necessary documents the Office needs for the amendment application to be considered filed. If, at the end of the sixty day period, the amendment application has not been determined to be filed with the Office, the Office shall deny the amendment application and terminate the amendment application file.

**The response due date is December 18, 2018.**

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

Sincerely,



Peter S. Hays  
Environmental Protection Specialist

Ec: Michael Cunningham; Division of Reclamation, Mining & Safety