



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215

Denver, Colorado 80203

October 24, 2018

Andre Laroche  
Continental Materials Corporation  
444 E. Costilla St.  
Colorado Springs, CO 80903

**Re: Adequacy Review, Technical Revision (TR-05), Pueblo West Pit, Permit File No. M-1977-573**

Dear Mr. Laroche:

On October 22, 2018, the request for Technical Revision TR-05 was filed with the Division addressing revisions to the approved reclamation seed mix at the Pueblo West Pit, Permit No. M-1977-573. Please be advised that on November 21, 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 the adequacy items with a letter summarizing each response, to the numbered items below, in a cover letter titled "Adequacy Review Response TR-05, M-1977-573".

1. The TR-05 submittal states an organic fertilizer will be used for nitrogen application. In accordance with Rule 6.4.5(2)(f)(iii), please provide the type, mixture, quantity and time of application for this fertilizer. Please also provide details on how and to what depth this fertilizer will be incorporated into the soil.
2. The TR-05 submittal states soils with less than 25 ppm NO<sub>3</sub>-N are deficient in nitrogen. Based on the analytical results of the four soil tests (NO<sub>3</sub>-N at 89.5, 30.2, 39.1, and 24.8 ppm), it appears there isn't a nitrogen deficiency, however, the Operator states an organic fertilizer will be used for nitrogen application. Please clarify this discrepancy. Please note, an excess of free nitrogen will likely lead to a flush of weedy vegetation which may hinder the establishment and success of the desired reclamation species within the proposed seed mixture.
3. Please clarify if the proposed TR-05 seed mix will also replace the approved wetland seed mix for the Finger Lakes area of the permit.
4. Please provide the details on how the reservoir's island will be seeded. Please note, if the seed mix is broadcast, the seeding rate is typically recommended to be doubled.
5. As the sites contains approximately 1.7 miles of shoreline, please clarify if the Operator intends to seed the shoreline of the reservoir with a different seed mix to account for saturated conditions or provide technical justification that the proposed seed mix contains species which suitable for the shoreline. Please note, in the Division's experience regarding sites with developed water resource post-mining land uses, multiple seed mixtures (wetland, riparian, upland, etc.) tend to have the best success and various shoreline vegetation (bulrush, cattail, willow, cottonwood, etc.) help reduce wave erosion.

This concludes the Division's adequacy review of TR-05. As a reminder, TR-05 may be deemed inadequate, and the request may be denied on November 21, 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



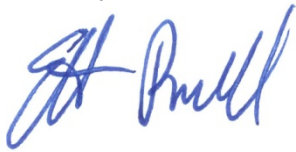
October 24, 2018

Page 2 of 2

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 November 21, 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 at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell  
Environmental Protection Specialist

Cc: Patrick Lennberg with DRMS  
Michael Cunningham with DRMS  
Brandon Hesel with Transit Mix Concrete Co., [Brandon\\_Hesel@transitmix.com](mailto:Brandon_Hesel@transitmix.com)  
H. Bruce Humphries with Regulatory Permits Management, Inc., [hlhumphries2@comcast.net](mailto:hlhumphries2@comcast.net)