



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

1313 Sherman Street, Room 215  
Denver, CO 80203

April 26, 2019

Steve O'Brian  
Environment, Inc.  
7985 Vance Dr. #205A  
Arvada, Colorado 80003

**Re: AFS – Bennett Pit, M-2001-038**  
**Amendment No. 1 Application (AM01), Extension Request Approval**

Dear Mr. O'Brian,

The Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received your request for an extension of the decision date for the above referenced amendment application on April 18, 2019. The Division has extended the decision date to July 26, 2019 per your request.

Given the Division has received written objections to this application, pursuant to Rule 1.4.9(2)(a) and 1.7.4(2), the Division will schedule the application for a Formal Board Hearing for consideration. This hearing will likely occur during the Mined Land Reclamation Board's July 24 and 25, 2019 meeting. Prior to the hearing, the Division will hold a Pre-hearing conference in accordance with Rule 2.7. The Pre-hearing conference will be held to describe the Division's review process, to explain the rights and responsibilities of parties, to discuss and resolve issues to the extent possible, to describe the Board Hearing processes, to propose a list of issues under the Board's jurisdiction, to simplify that list, and to identify parties. The Pre-hearing conference will occur at least ten (10) calendar days prior to the Board hearing. Final dates, times and locations of the Pre-hearing conference and the Board hearing will be provided as soon as they are determined. The Division is required to issue a recommendation to the Board for approval, approval with conditions or denial of the application three (3) working days prior to the Pre-hearing Conference. All outstanding adequacy review items will need to be addressed prior to the date the Division issues its recommendation to the Board.



April 26, 2019

If you have any questions please feel free to contact me at [jared.ebert@state.co.us](mailto:jared.ebert@state.co.us) or at (303)-866-3567 ext. 8120.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Ebert", with a stylized flourish at the end.

Jared Ebert  
Environmental Protection Specialist III

Ec: Ben Frei, Albert Frei and Sons, Inc. [BFrei@albertfreiandsons.com](mailto:BFrei@albertfreiandsons.com)