



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

1313 Sherman Street, Room 215  
Denver, CO 80203

October 1, 2019

Aggregate Industries  
Attn: Christine Felz  
1687 Cole Boulevard; Suite 300  
Golden, CO 80401

**Re: Hazeltine Mine, M-2004-031, Technical Revision No. 7 (TR07), Adequacy Review No. 1**

Dear Ms. Felz,

On September 12, 2019 the Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received your application for TR07. The proposed revision is a request to remove the requirement to operate the Orr Drain, install the reservoir outlet pipes and to cease groundwater monitoring. Included with the revision was a copy of an "Order: Stipulated Rule and Order" from the District Court of Adams County, Colorado indicating the City of Thornton has condemned the former "Orr Property". Further the revision asserts the groundwater mounding issue is resolved as a result of the acquisition of the Orr property by the City of Thornton. The Division acknowledges that the original complainant regarding damages to the "Orr Property" no longer owns the property, but impacts to the hydrologic balance have resulted from the mining and reclamation activity at the site. Further, the Colorado Mined Land Reclamation Board found Aggregate Industries-WCR, Inc. (AI) in violation of section 34-32.5-116(4)(h), C.R.S. for failing to minimize the disturbance to the prevailing hydrologic balance in the surrounding area (Violation Number MV-2015-003 and MV-2018-008) and section 34-32.5-116(4)(i), C.R.S. for failing to protect adjacent land from damage occurring during the mining operation (MV-2018-008). For both violations the Board ordered AI to implement the Permanent Plan for mitigation of these violations. Given this, a change in ownership of the Orr property does not alleviate the Operator from complying with the Board's orders.

Given this, the Division cannot approve TR07. The Division is required to issue a decision on the application by October 14, 2019. AI may withdraw the application from consideration or the Division will deny the application by October 14, 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,

Jared Ebert  
Senior Environmental Protection Specialist

