

October 16, 2019

Bryan Lees
Colorado Calumet Co., Inc.
PO Box 1169
Golden, CO 80402

**RE: Notice of Filing Deficiencies, 110(1) to 110(2) Hardrock Conversion Application (CN-01)
Detroit City Mine, Permit File No. M-2017-003**

Dear Mr. Lees,

On October 1, 2019, the Division of Reclamation, Mining and Safety (Division) received the 110(1) to 110(2) Conversion Application (CN-01) for the Detroit City Mine, Permit File No. M-2017-003. Pursuant to Rule 1.4.1(8), the Division has determined the application contains deficiencies which prevent the application from being considered filed. The following filing deficiencies must be addressed before the Division can consider the application as being filed and the technical adequacy review can begin. Please respond to this Notice of Deficiencies with the requested information and summarize each response to the numbered items below, in a cover letter titled "Response to Deficiencies CN-01, M-2017-003".

Application Form and General Application Process

1. The Division requires the Operator/Applicant's name to remain consistent throughout the application and match the exact name registered with the Secretary of State. After a records search of the business database on the Secretary of State's webpage, the Operator/Applicant name should include a period after "Co". Please submit a new Page 1, 2 and 7 with the Applicant/Operator name revised to "Colorado Calumet Co., Inc.".
2. The Primary Mine Entrance Coordinates provided on Question 11, Page 3 of the application, are not accurate. These coordinates also do not match the entrance coordinates provided on Figure A-1 Location Map within Exhibit A, which are accurate. Please submit a new Application Page 3 with the correct entrance coordinates.
3. Responsibility #10 on Page 6 of the application form has been initialed, however the Applicant appears to not be a joint venture/partnership business. Please submit a new Page 6 without responsibility #10 initialed.
4. The CN-01 application includes numerous references that permit materials will remain the same as the original 110(1) permit. In accordance with Rule 1.11.2(3)(a), the Operator shall clearly describe where in the original application and supporting documents the information not included in the conversion application, may be found. As the original permit had three adequacy review responses and has since been technically revised twice, the Operator will need to either include a copy of the most recent information for each specific section which isn't being updated with CN-01 or specify where this can be found. If the latter option is chosen, please specify page number, subsection, exhibit, document title, and the laserfiche document database page number and document date, as appropriate to clearly describe where the original information can be found.
5. The copy of the on-site notice provided in the application contains an incorrect phone number for the Applicant. Please post a new on-site notice, as required by Rule 1.6.2(1)(b), with the correct phone number and submit a copy and certification of the posting.



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EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9):

6. Proof of placing a public review copy at the Clerk and Recorder was not included in the application. In accordance with Rule 1.6.2(1)(c), please submit proof in the form of an affidavit or receipt indicating the date on which the application was placed with the local County Clerk and Recorder for public review.
7. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy in accordance with Rule 1.6.2(2). Please submit proof that the public review copy has been updated with a copy of this letter and associated response.

EXHIBIT J - Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District (Rule 6.3.10):

8. The application included receipts of certified mailing to the local Board of County Commissions and the Soil Conservation District, however, the application did not include the required certified mail return receipts, also known as the green cards. In accordance with Rule 1.6.2 (1)(a)(ii), please submit Proof of Notice in the form of certified mail return receipts or date-stamped copies of the notices acknowledging receipt by the local Board of County Commissions and the Soil Conservation District.

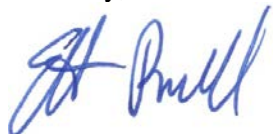
Your 110(1) to 110(2) Conversion Application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt and acceptance of all of the requested information. Additionally, if you have already published notice you will need to republish notice, but only after the Division considers the application filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once within ten (10) days of the date your application is considered submitted. The final date for receiving comments is the 10th day after the publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division may deny the application and terminate the application file. **The response to this Notice of Filing Deficiencies is due on or before December 16, 2019.**

This letter shall not be interpreted to mean that there are no other deficiency or adequacy requirements in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

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.

Sincerely,



Elliott R. Russell
Environmental Protection Specialist

ec: Jason Musick with DRMS, jason.musick@state.co.us
Ben Langenfeld with Greg Lewicki and Associates, benl@lewicki.biz