




**MINERALS PROGRAM INSPECTION REPORT**  
**PHONE: (303) 866-3567**

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

<b>MINE NAME:</b> Jenkins Site	<b>MINE/PROSPECTING ID#:</b> M-1977-393	<b>MINERAL:</b> Sand and gravel	<b>COUNTY:</b> Boulder
<b>INSPECTION TYPE:</b> Monitoring	<b>INSPECTOR(S):</b> Amy Eschberger	<b>INSP. DATE:</b> November 5, 2019	<b>INSP. TIME:</b> 08:30
<b>OPERATOR:</b> City of Boulder	<b>OPERATOR REPRESENTATIVE:</b> Chris Lawlor and Matt Ashley	<b>TYPE OF OPERATION:</b> 112c - Construction Regular Operation	
<b>REASON FOR INSPECTION:</b> Normal I&E Program	<b>BOND CALCULATION TYPE:</b> None	<b>BOND AMOUNT:</b> \$0.00	
<b>DATE OF COMPLAINT:</b> NA	<b>POST INSP. CONTACTS:</b> None	<b>JOINT INSP. AGENCY:</b> None	
<b>WEATHER:</b> Clear	<b>INSPECTOR'S SIGNATURE:</b> 	<b>SIGNATURE DATE:</b> November 14, 2019	

**GENERAL INSPECTION TOPICS**

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>NA</u>	(RD) ROADS----- <u>Y</u>
(HB) HYDROLOGIC BALANCE----- <u>Y</u>	(BG) BACKFILL & GRADING----- <u>Y</u>	(EX) EXPLOSIVES----- <u>NA</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>NA</u>	(TS) TOPSOIL----- <u>Y</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>Y</u>	(FW) FISH & WILDLIFE----- <u>Y</u>	(RV) REVEGETATION---- <u>Y</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>Y</u>	(RS) RECL PLAN/COMP-- <u>Y</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>Y</u>	(SC) EROSION/SEDIMENTATION--- <u>Y</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>NA</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

## **OBSERVATIONS**

This was a normal monitoring inspection of the Jenkins Site (Permit No. M-1977-393) conducted by Amy Eschberger of the Division of Reclamation, Mining and Safety (Division). The operator, City of Boulder was represented by Matt Ashley and Chris Lawlor during the inspection. The site is located approximately 2.5 miles southwest of Superior, CO, in Boulder County. Access to the site is from the northeast off of S. 66<sup>th</sup> Street. The affected lands are owned by the operator. **Photos 1-20** taken during the inspection are included with this report.

This is a 112c operation permitted for 233.60 acres to mine sand, gravel, and clay (see enclosed Google Earth image of site showing approved permit area). The permit has been amended twice, the first of which (AM-1) was approved in 1986, and the second (AM-2) was approved in 1996. AM-1 added 175 acres to the original 40 acre permit area, and AM-2 added 18.6 acres to the permit area. The submittal of AM-2 satisfied a corrective action required by the Mined Land Reclamation Board (Board) in its July 3, 1995 Board Order, requiring the operator to submit an amendment to include all affected lands in the permit area. AM-2 added affected lands primarily to the south of the existing permit area (for reclamation only), but also added a small sliver of land to the east, and the northeastern access road off of S. 66<sup>th</sup> Street (see enclosed Reclamation Plan Map approved with AM-2). In 2000, the City of Boulder took over the permit from Varra Companies under Succession of Operators No. 3 (SO-3).

The permit area is bisected by Coal Creek, an ephemeral creek which flows northeastward when carrying water. The approved mining plan includes mining approximately 15 feet from the top of a mesa located in the portion of the permit area located north of the creek (north mining area), and mining open clay pits approximately 30 feet deep in the flatter portion of the permit area which is located south of the creek (south mining area). The operation was approved for on-site material processing (e.g., crushing, screening), and for operating an asphalt and/or concrete batch plant in the north mining area, if needed. Any available overburden and topsoil is to be salvaged and stored separately for use in reclamation.

While this site was permitted as a dry operation, the 25-30 foot deep clay pits developed in the south mining area were found to be exposing groundwater, and were therefore backfilled in the mid-1990's. The south mining area included approximately 15 acres of pre-law mining disturbance, and was the location of the original 40 acre permit area. According to the permit file, upon AM-2 submittal in 1995, disturbances in the south mining area included a low-lying (< 10 foot high) cut slope near its western margin, two clay pits, a few small hand-excavated test pits, numerous material stockpiles scattered across the area, a few topsoil stockpiles, and an area formerly used for material processing. At that time, the north mining area disturbances included a borrow pit developed into the east-facing side of the mesa, a gravel pit developed into the south-facing side of the mesa, a material stockpiling area on top of the mesa, topsoil stockpiles along the sides of the pits, a northeastern access road, and two sets of scales and scale houses along the access road. In its inspection report for August 29, 1995, the Division noted the scales and scale houses had been removed from the site, and in the south mining area, some of the stockpiles had been removed and reclamation grading completed.

The approved post-mining land use for the site is rangeland. The approved reclamation plan includes grading all disturbed slopes to 3H:1V or flatter, replacing no less than 10 inches of growth medium (a combination of topsoil and non-clay overburden) over disturbed areas where heavy clay is exposed at the surface (mainly in the south mining area), replacing 6-10 inches of growth medium over disturbed areas where sufficient non-clay material already covers the heavy clays, and revegetating the site with a grass seed mixture consisting of Intermediate wheatgrass, Tall wheatgrass, Pubescent wheatgrass, Blue grama, and Smooth brome. All haul roads on site will be reclaimed except for the main access road located at the northeastern corner of the site. It should be noted, the City of Boulder requested a modification to the approved revegetation plan on May 15, 1997. However, since the permit was held by Varra Companies, Inc. at that time, the Division informed the City

(on May 27, 1997) the revision request could only be accepted if submitted by the permittee. Such a request was never formally submitted by Varra Companies Inc., nor by the City after they took over the permit in 2000.

According to the permit file, final reclamation of the south mining area began in 1995, including removing some of the material stockpiles from the site, grading pit walls and any remaining material stockpiles to slopes of 3H:1V or flatter, replacing topsoil on disturbed land, and seeding the land with the approved grass seed mixture. The annual report received on June 1, 2000 informed the Division that fencing had been placed along both sides of the creek in 1999 to restrict livestock grazing on seeded areas (in the south mining area), and that bushes and forbs had also been planted on the upper benches of this area with the help of volunteers. Since that time, annual reports describe continued backfilling of the pit located in the north mining area with imported inert material. The Division accepted (on August 7, 2000) an inert backfill notice submitted by the operator in accordance with Rule 3.1.5(9) on June 21, 2000 to import approximately 30,000 – 40,000 cubic yards of inert material from the City's Sombrero Marsh and other Open Space projects to use as reclamation backfill material at the site. This notice also included plans to import filter fines from the City's water treatment plant to the site for use as a topsoil amendment.

In its inspection report for January 11, 2011, the Division cited a problem pursuant to Rule 3.1.3, which requires all reclamation to be carried to completion by the operator with all reasonable diligence, and each phase of reclamation be completed within five years from the date the operator informs the Board or Office that such phase has commenced, or from the date the Office has evidence that mining has ceased, unless extended by the Board or Office. The operator was given a year (until January 11, 2012) to complete reclamation of the site in accordance with the approved plan and to notify the Division once this was done so an additional inspection could be conducted.

The operator sent a response letter, dated May 14, 2012, informing the Division the time window for conducting reclamation activities at the site is constrained by the presence of a bald eagle nest within ½ mile of the reclamation area. In consultation with the U.S. Fish and Wildlife Service over the past decade (since ~ 2002), the City has implemented a property closure between November 1<sup>st</sup> and July 31<sup>st</sup> of each year to protect nesting bald eagles. For this reason, the operator only has a 3 month window each year to conduct reclamation activities at the site. The operator requested a five year extension of the corrective action date (to 2017) to complete reclamation at the site. While no further correspondence pertaining to this matter could be located in the permit file, the operator's five year extension request was in effect approved by the Division's decision to consider the problem abated on May 14, 2012, the date of the operator's response letter.

In its inspection report for August 12, 2015, the Division describes the backfilling activities that continue on site, acknowledging that reclamation is progressing slowly as a result of the eagle's nest. At that time, the operator estimated final reclamation of the site could take another 10 years (to 2025). The 2015 report did not cite a problem or possible violation for failing to complete reclamation of the site. The report did however cite a problem for failing to control state-listed noxious weed species on site, which was considered abated after the operator submitted on November 10, 2015 a weed control plan through Technical Revision No. 3. In the 2015 report, the Division noted the rest of the permit area (besides the pit being backfilled in the north mining area) has been fully reclaimed and could be released through an acreage reduction request.

During the current inspection, no activities were occurring on site as the wildlife restriction was in effect as of four days prior to the inspection. The City had a wildlife biologist, Christian Nunoz, visit the site immediately prior to the inspection to confirm the eagle's nest was not currently occupied. The Division observed the eagle's nest located in a tree along the northern edge of the creek, estimated to be less than a ¼ mile from the pit disturbance area. The Division informed the operator it will attempt to schedule future inspections of the site outside of the restricted period (August 1<sup>st</sup> to October 31<sup>st</sup>). This time period would be more ideal for

inspections anyhow since it would allow the Division to observe active operations at the site.

The Division observed the pit located at the top of the mesa in the north mining area, which the operator is continuing to backfill from west to east, in two primary lifts. The lower lift is approximately 25 feet in height with slope gradients of 1.5H:1V to 2H:1V. The upper lift is approximately 15 feet in height with slopes gradients of 1H:1V to 1.5H:1V. The eastern edge of the upper lift is currently approximately 450 feet from the eastern edge of the lower lift. According to the operator, active dumping occurs on site almost daily during the annual 3-month active period. A few small stockpiles of imported material were stored on top of the upper lift. Besides the active backfilling portion of the pit, all other disturbed lands in the north mining area have been reclaimed with slopes graded to 3H:1V or flatter and a good vegetative cover consisting of grasses and some shrubs. The reclaimed areas appeared to be stable with no erosion issues observed. The Division estimates approximately 8 acres of disturbance requiring reclamation exists in the north mining area.

The Division reminded the operator that final reclamation of the site needs to be completed as soon as possible, especially considering the amount of time that has passed since reclamation began. The operator indicated it may take another 15 years to finish backfilling the northern pit, and to retopsoil and revegetate the disturbed area. Given the operator has only 3 months each year to conduct reclamation activities on site, in effect, it takes four years for the operator to have the equivalent of one full year to reclaim the site. With this in mind, the operator would have five years to complete reclamation over a 20 year period. If the operator completed removing gravel stockpiles from the north mining area and began backfilling the pit in 2000, and considering the calculation above, the operator would technically have until 2020 to complete reclamation of this area (within five years).

Since the approved reclamation plan for the site does not require the operator to completely backfill the pit, but to grade all disturbed slopes to 3H:1V or flatter, the Division believes the operator could expedite reclamation of the site by discontinuing the backfilling activities and working to grade all disturbed slopes to the approved final configuration. Currently, this would consist of grading the southern and eastern slopes of the upper lift and the eastern slope of the lower lift to 3H:1V or flatter. This could potentially be done via the cut and fill method, which would not require additional material to be imported to the site. The Division strongly encourages the operator to utilize the next construction period (August 1<sup>st</sup> - October 31<sup>st</sup> of 2020) to complete all reclamation earthwork and seeding (if possible), and to request a site inspection toward the end of this period so the Division can assess any reclamation work completed.

The Division inspected the southern mining area located south of the creek, which has been in reclamation since 1995. The fencing installed in 1999 to restrict livestock grazing in this area was still in place. This area has a somewhat hummocky topography, with all slopes graded to 3H:1V or flatter. The area is stable with established vegetation consisting primarily of native grasses, with some mature trees growing in lower level areas. The south mining area appears to have been reclaimed in accordance with the approved reclamation plan. Therefore, the Division encourages the operator to submit an Acreage Reduction request (AR; see enclosed form) to release this portion of the permit area. The Division estimates the operator could release approximately 156 acres from the permit area (see enclosed Google Earth image of site showing releasable area), leaving approximately 77.5 acres in the portion of the permit area located north of the creek. However, the operator will need to survey the site and determine exactly how many acres are proposed for release, and provide a site map with the AR showing these area(s) accordingly.

If the Division approves an acreage reduction for the site, the operator will need to submit a Technical Revision (form enclosed) with a revised reclamation plan map (a revised mining plan map is not necessary given the site is in reclamation) showing the new permit area. If the operator wishes to propose any changes to the approved reclamation plan, such as to the revegetation plan (as proposed in 1997), this could be done through the same



Technical Revision submittal. The Division is enclosing with this report copies of Rule 6.2.1 which describes the general requirements for maps and exhibits, and also Rule 6.4.6 which describes the specific requirements for reclamation plan maps.

It has come to the Division's attention that the contact information currently on file for this permit is no longer accurate. At this time, the Permittee/Operator Contact is listed as Kelly Wasserbach, the Permitting Contact is listed as Glenn Carriere, and the Inspection Contact is also listed as Glenn Carriere. These contacts can be revised through the ePermitting system accessed from the Division's website at: <https://mining.state.co.us>. Specific instructions on how to request a change in contact information are listed on pages 19 and 20 of the ePermitting User's Manual, available on the ePermitting homepage (also enclosed with this report).

The operator also indicated a desire to change the ePermitting Administrator for this permit, which is currently designated as James Reeder. The operator can make this change through the ePermitting system by clicking on "ePermitting Administrator Change form" from the ePermitting homepage. If the operator has any issues using ePermitting to make the changes described above, the operator may contact the Division's Technical Specialist, Susan Burgmaier by telephone at 303-866-3567, ext. 8111, or by email at [susan.burgmaier@state.co.us](mailto:susan.burgmaier@state.co.us).

This concludes the report.

*Any questions or comments regarding this inspection report should be forwarded to Amy Eschberger at the Colorado Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, via telephone at 303-866-3567, ext. 8129, or via email at [amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us).*

## PHOTOGRAPHS



**Photo 1.** View looking southwest from access road across eastern portion of pit located in north mining area, which the operator is backfilling. Note eastern side of lower lift shown at right.



**Photo 2.** View looking southwest from access road across top of backfilled portion of pit in north mining area, showing eastern side of upper lift.





**Photo 3.** View looking west across top of backfilled portion of pit (upper lift) in north mining area.



**Photo 4.** View looking east across top of backfilled portion of pit (upper lift) in north mining area. Note small stockpiles of imported material stored on top of lift.





**Photo 5.** View looking east across top of lower lift of backfilled pit in north mining area. Note side slope of upper lift (in foreground) at an approximate 1.5H:1V gradient.



**Photo 6.** View looking west from top of upper lift of backfilled pit in north mining area, showing southern section of pit (indicated) which operator intends to continue backfilling, although not required by the approved reclamation plan.





**Photo 7.** View looking north across eastern side slope of lower lift at approximate 1.5H:1V to 2H:1V gradient.



**Photo 8.** View looking northeast across eastern portion of pit in north mining area which operator intends to continue backfilling, although not required by the approved reclamation plan.





**Photo 9.** View looking west across top of backfilled portion of pit (lower lift) in north mining area. Note upper lift in far background.



**Photo 10.** View looking southwest across reclaimed southern slope of backfilled pit in north mining area.





**Photo 11.** View looking west across reclaimed eastern portion of disturbance in north mining area. Note backfilled portion of pit in background (lower left).



**Photo 12.** View looking west across reclaimed southern portion of disturbance in north mining area.





**Photo 13.** View looking south across permit area from top of backfilled portion of pit in north mining area. Note trees in background lining edges of Coal Creek, which separates north mining area from south mining area (reclaimed).



**Photo 14.** View looking south at tree with eagle's nest (circled), located along north edge of Coal Creek. The nest was not occupied during the inspection.





**Photo 15.** View looking northwest across northern portion of reclaimed south mining area. Note all slopes graded 3H:1V or flatter and established vegetation consisting of grasses and some trees.



**Photo 16.** View looking southwest across reclaimed south mining area. Note all slopes graded 3H:1V or flatter and established vegetation consisting of grasses and some trees.





**Photo 17.** View looking southeast across reclaimed south mining area. Note all slopes graded 3H:1V or flatter and established vegetation consisting of grasses and some trees.



**Photo 18.** View looking west across reclaimed south mining area. Note all slopes graded 3H:1V or flatter and established vegetation consisting of grasses and some trees.





**Photo 19.** View looking south across reclaimed south mining area. Note all slopes graded 3H:1V or flatter and established vegetation consisting of grasses and some trees.



**Photo 20.** View looking east across reclaimed south mining area. Note all slopes graded 3H:1V or flatter and established vegetation consisting of grasses and some trees.

**Inspection Contact Address**

Matt Ashley  
City of Boulder  
P.O. Box 791  
Boulder, CO 80306

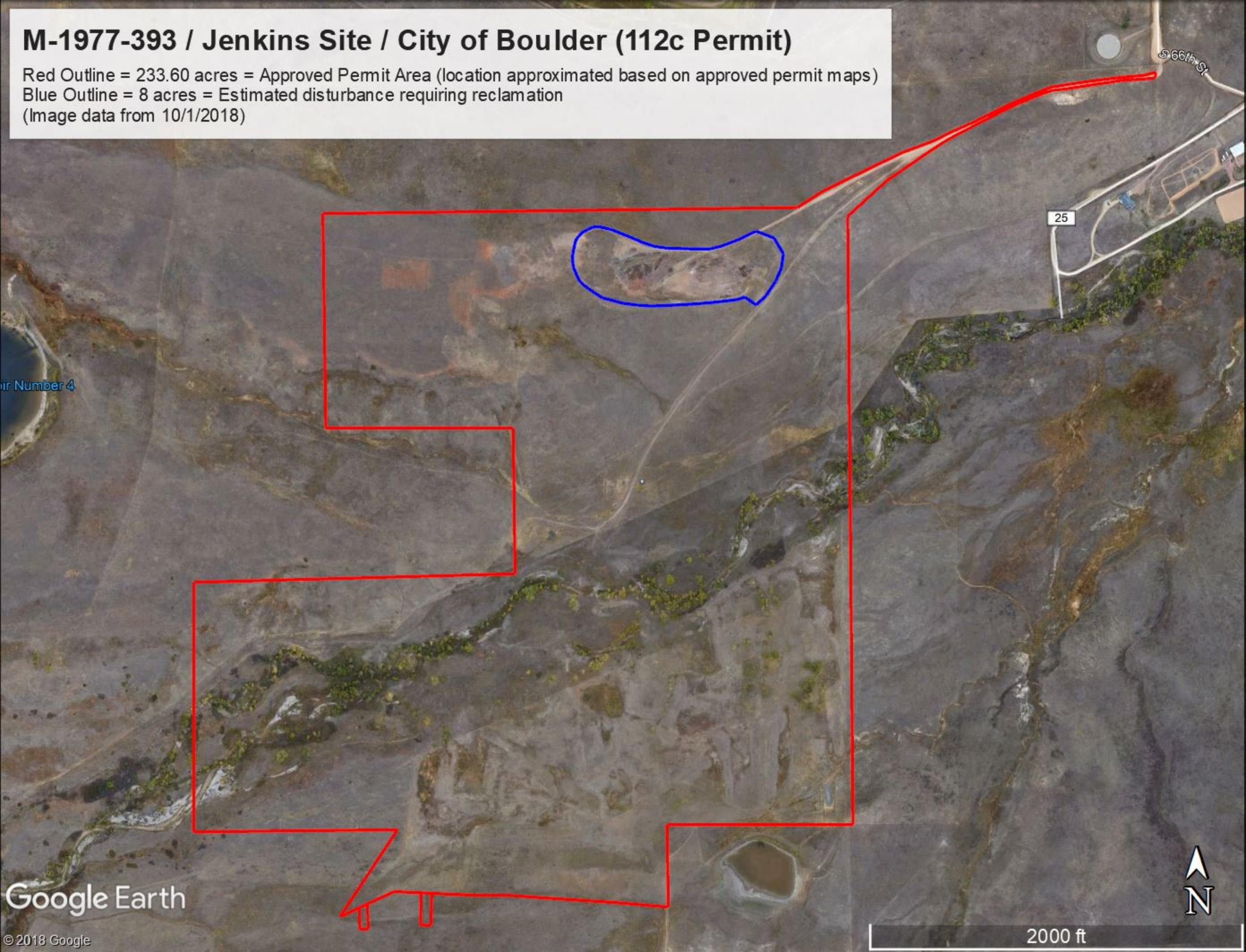
Encls: Google Earth image of site showing approved permit area  
Reclamation Plan Map approved with AM-2, received on June 20, 1995  
Acreage Reduction form  
Google Earth image of site showing releasable area  
Technical Revision form  
Rules 6.2.1 and 6.4.6  
Pages 19 and 20 of ePermitting User's Manual

CC: Chris Lawlor, City of Boulder  
Michael Cunningham, DRMS



# M-1977-393 / Jenkins Site / City of Boulder (112c Permit)

Red Outline = 233.60 acres = Approved Permit Area (location approximated based on approved permit maps)  
Blue Outline = 8 acres = Estimated disturbance requiring reclamation  
(Image data from 10/1/2018)



air Number 4

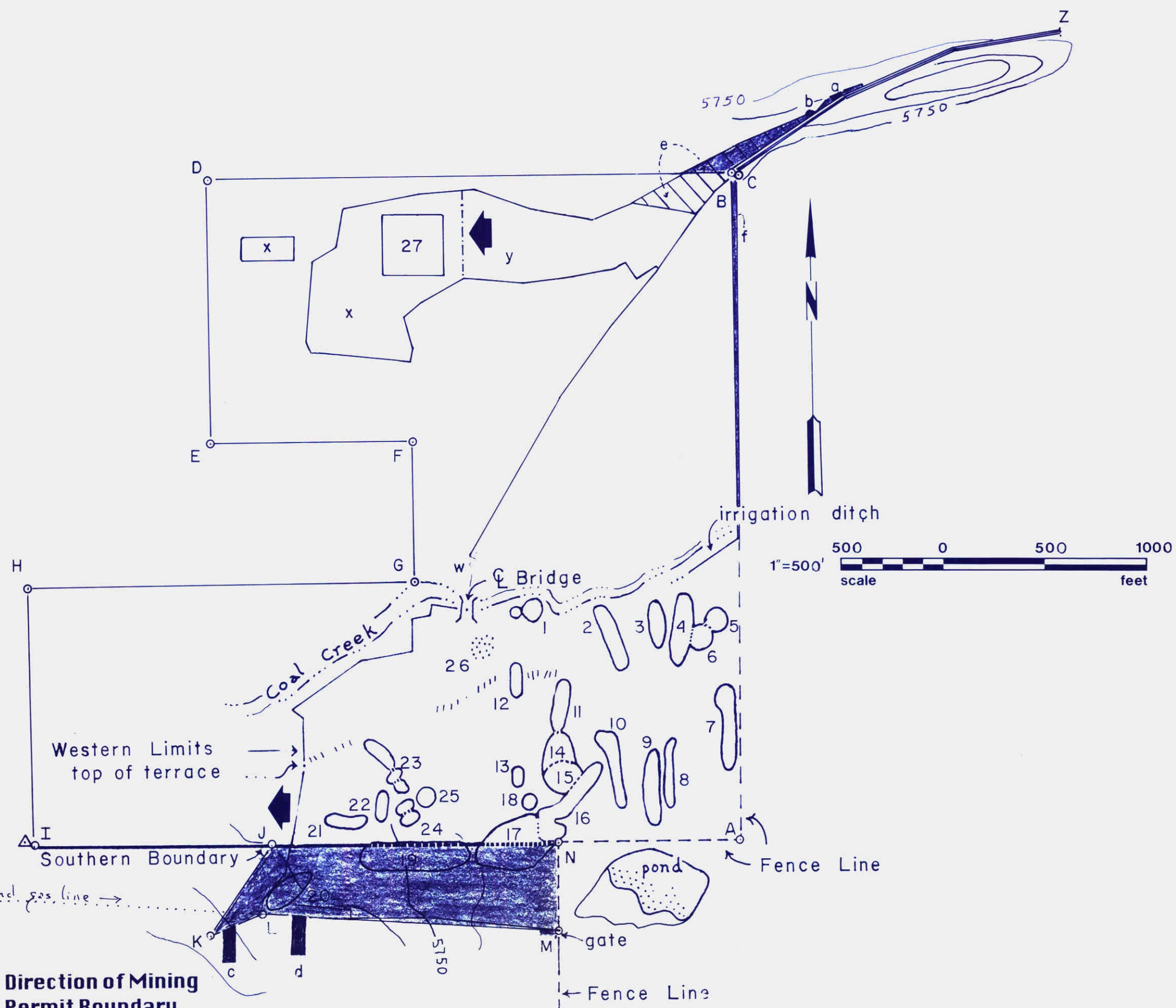
Google Earth

© 2018 Google



2000 ft





# **Key:**

- Direction of Mining Permit Boundary
- Shaded Area = Amended Lands

## **Distances & Locations:**

### **Reference Lines & Points**

- Point A - Fence corner and point of beginning.
- A to I - 3559' - reference line follows existing fence line.
- A to B - 3300' - set 90 degrees from the AI reference line.
- A to C - 3300' - C is 29'± from B @ 1°08'05" from BD line.
- Area f - 1/2 Degree between AB & AC to assure inclusion of all affected lands due to variations in fence line.
- Δ - Benchmark - approximate location f. previous maps.

### **North Site:**

- Point Z - Gate to access road.
- Z to B - Length of access road to NE corner = 1797'± x 24'±.
- Area a - Scale house & ramps.
- Area b - Parking area next to scale house.
- Area e - Access forks w/ unaffected land between.
- B to D - 2600' boundary line.
- D to E - 1300' boundary line.
- E to F - 1000' boundary line.
- F to G - 700' boundary line.
- Area x - Areas resoiled and seeded - Spring 1995.
- Area y - Existing Pit.
- #27 - stockpile area location = 300' x 300'.

### **South Site:**

- G to H - 1930' boundary line.
- H to I - 1300' boundary line.
- I to J - 1190' boundary line.
- J to K - 552' boundary line.
- K to L - 282' boundary line.
- L to M - 1463' boundary line.
- M to N - 437' boundary line.
- N to J - 1410' original Southern Boundary reference line.
- N to A - 959' boundary line.
- # areas - stockpile area locations #'s 1 to 26
- Area c - voluntary reclamation included in boundary.
- Area d - voluntary reclamation included in boundary.

RECEIVED  
JUN 20 1995  
Division of Minerals & Geology

Permit Number M-77-393 Jenkins Clay Mine  
Class: Permit  
Section/Exhibit: Exh. F Reclamation Plan Map  
Class: ☐ Revision  
Type/Seq: AM-2 6-20-95  
Class: ☐ Report ☐ Hydro ☐ General  
Doc. Type: ☐ Application (Coal only) ☐ Bond ☐ Enforcement ☐ Inspection

## **Exhibit F - Reclamation Plan Map**

AM-002

VARRA COMPANIES, Inc.  
Jenkins Site M-77-393

SCALE: 1" = 500'	APPROVED BY	DRAWN BY BLJ
DATE: 6-8-95		
Amended & Affected Lands		22149
contour intervals = 10 feet		DRAWING NUMBER

SCANNED





**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

**REQUEST FOR FULL OR PARTIAL RELEASE OF PERMIT AREA/SURETY REDUCTION**

Please indicate if you are requesting:

FULL/FINAL RELEASE OF ENTIRE PERMITTED AREA (per Rule 4.17)

\_\_\_\_\_

ACREAGE REDUCTION (PARTIAL RELEASE per Rule 4.17)

\_\_\_\_\_

I wish to release \_\_\_\_\_ acres at this time.

You will need to submit with this request: a map showing the acreage to be released from the current permit and updated mining and reclamation plan maps that will accurately depict the new permit boundary if the release is approved.

SURETY (Bond) REDUCTION (per Rule 4.14)

\_\_\_\_\_

If you are requesting a surety (bond) reduction you will need to include with this request a new estimate of the actual cost to reclaim the site based on what it would cost an independent contractor to complete reclamation, including unit costs for reclamation activities as appropriate to the operation to comply with the provisions of Rule 3.1 and the Permit's approved Reclamation Plan.

File No.: M \_\_\_\_\_

Site Name: \_\_\_\_\_

County: \_\_\_\_\_

Permittee: \_\_\_\_\_

Permittee Address: \_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City) (State) (Zip)



Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

Certified Mail # \_\_\_\_\_

In accordance with Rule 4.17.1(2) the Operator shall include the names, addresses and phone numbers of all owners of record to the affected land. Please attach additional sheets for this information if required.

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In accordance with Rule 4.17.1(4), if requesting a partial acreage release the Operator or their agent MUST sign that they have complied with the following statement: “All applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.”

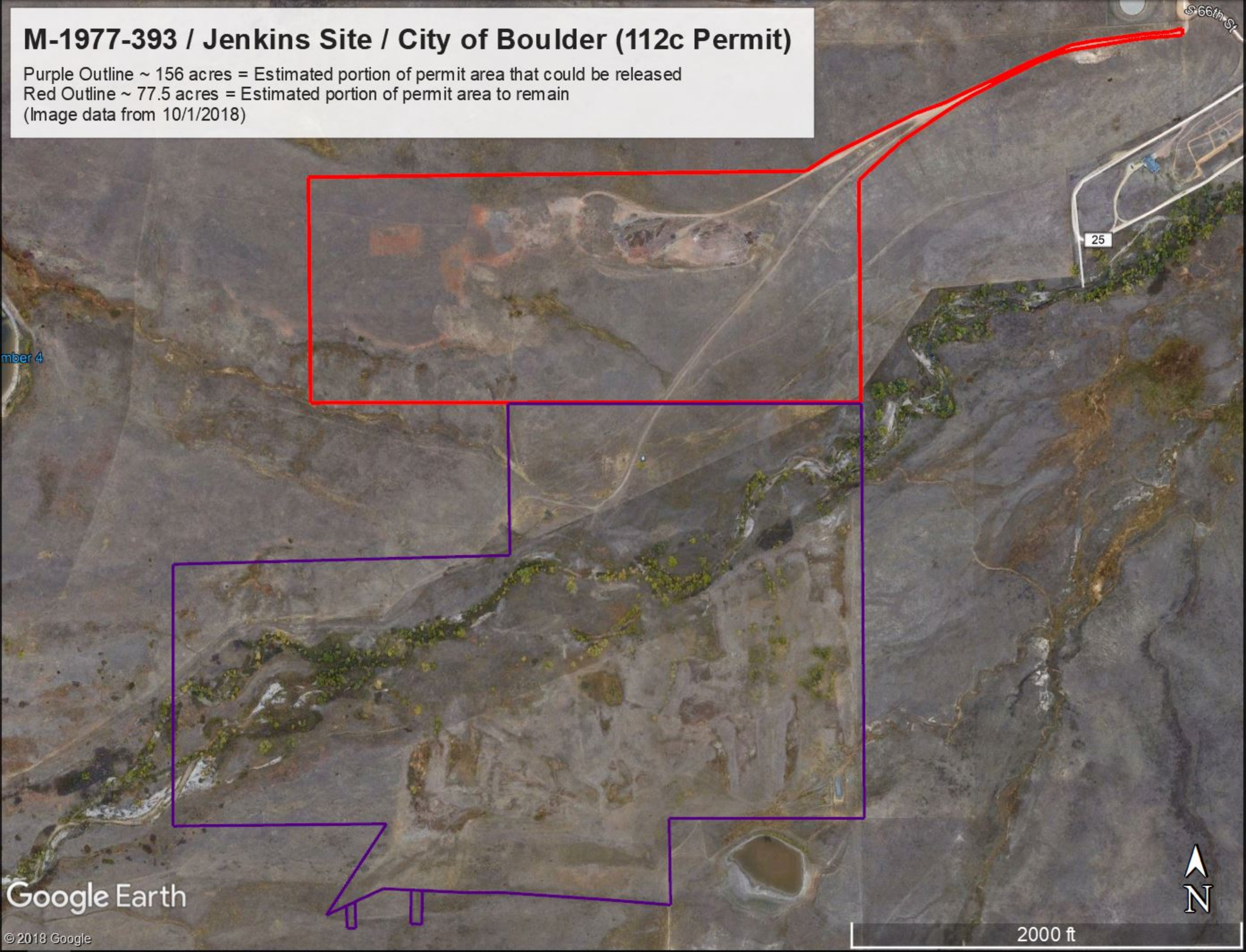
\_\_\_\_\_  
Signature of Permittee, Operator or their authorized agent      Date

*Important: In accordance with Rules 4.14.2(a) and 4.17.1(3) This release request must be submitted to the Division via certified mail and separate from any other correspondence to the Division.*



# M-1977-393 / Jenkins Site / City of Boulder (112c Permit)

Purple Outline ~ 156 acres = Estimated portion of permit area that could be released  
Red Outline ~ 77.5 acres = Estimated portion of permit area to remain  
(Image data from 10/1/2018)







## COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203 ph(303) 866-3567

### REQUEST FOR TECHNICAL REVISION (TR) COVER SHEET

File No.: M- \_\_\_\_\_ Site Name: \_\_\_\_\_

County \_\_\_\_\_ TR# \_\_\_\_\_ (DRMS Use only)

Permittee: \_\_\_\_\_

Operator (If Other than Permittee): \_\_\_\_\_

Permittee Representative: \_\_\_\_\_

Please provide a brief description of the proposed revision: \_\_\_\_\_

As defined by the Minerals Rules, a Technical Revision (TR) is: “a change in the permit or application which does not have more than a minor effect upon the approved or proposed Reclamation or Environmental Protection Plan.” The Division is charged with determining if the revision as submitted meets this definition. If the Division determines that the proposed revision is beyond the scope of a TR, the Division may require the submittal of a permit amendment to make the required or desired changes to the permit.

The request for a TR is not considered “filed for review” until the appropriate fee is received by the Division (as listed below by permit type). Please submit the appropriate fee with your request to expedite the review process. After the TR is submitted with the appropriate fee, the Division will determine if it is approvable within 30 days. If the Division requires additional information to approve a TR, you will be notified of specific deficiencies that will need to be addressed. If at the end of the 30 day review period there are still outstanding deficiencies, the Division must deny the TR unless the permittee requests additional time, in writing, to provide the required information.

There is no pre-defined format for the submittal of a TR; however, it is up to the permittee to provide sufficient information to the Division to approve the TR request, including updated mining and reclamation plan maps that accurately depict the changes proposed in the requested TR.

Required Fees for Technical Revision by Permit Type - Please mark the correct fee and submit it with your request for a Technical Revision.

<u>Permit Type</u>	<u>Required TR Fee</u>	<u>Submitted</u> (mark only one)
110c, 111, 112 construction materials, and 112 quarries	\$216	<input type="checkbox"/>
112 hard rock (not DMO)	\$175	<input type="checkbox"/>
110d, 112d(1, 2 or 3)	\$1006	<input type="checkbox"/>

**RULE 6:**        **PERMIT APPLICATION EXHIBIT REQUIREMENTS**

**6.1        REQUIREMENTS FOR SPECIFIC OPERATIONS**

**6.1.1     General Provisions**

This Rule provides for the specification of Exhibits required to be submitted along with each type of Permit application.

**6.1.2     110, 110(6) Limited Impact, 111 Special Operations**

These operations shall provide all the Exhibits, as described in Rule 6.3. Rule 6.5 (Geotechnical Stability Exhibit) may also be required on a case-by-case basis.

**6.1.3     112 Reclamation Permit Operations**

These operations shall provide all the Exhibits, as described in Rule 6.4. Rule 6.5 (Geotechnical Stability Exhibit) may also be required on a case-by-case basis.

**6.2        GENERAL REQUIREMENTS OF EXHIBITS**

**6.2.1     General Requirements**

- (1)        This Rule provides for the guidelines for, and information requirements of, each Exhibit required to be submitted with the permit application, as specified according to Rule 6.1.
- (2)        Maps and Exhibits  
             Maps, except the index map, must conform to the following criteria:
  - (a)        show name of Applicant;
  - (b)        must be prepared and signed by a registered land surveyor, professional engineer, or other qualified person;
  - (c)        give date prepared;
  - (d)        identify and outline the area which corresponds with the application;
  - (e)        with the exception of the map of the affected lands required in Section 34-32.5-112(2)(d), C.R.S. 1984, as amended, shall be prepared at a scale that is appropriate to clearly show all elements that are required to be delineated by the Act and these Rules. The acceptable range of map scales shall not be larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet. Also, that a map scale, appropriate legend, map title, date and a north arrow shall be included.

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112

- (v) Topsoiling - specify anticipated minimum depth or range of depths for those areas where topsoil will be replaced.

#### **6.4.6 EXHIBIT F - Reclamation Plan Map**

The map(s) of the proposed affected land, by all phases of the total scope of the mining operation, shall indicate the following:

- (a) The expected physical appearance of the area of the affected land, correlated to the proposed mining and reclamation timetables. The map must show proposed topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of all reclaimed lands; and
- (b) Portrayal of the proposed final land use for each portion of the affected lands.

#### **6.4.7 EXHIBIT G - Water Information**

- (1) If the operation is not expected to directly affect surface or groundwater systems, a statement and sufficient demonstration of that expectation shall be submitted.
- (2) If the operation is expected to directly affect surface or groundwater systems, the Operator/Applicant shall:
  - (a) Locate on the map (in Exhibit C) tributary water courses, wells, springs, stock water ponds, reservoirs, and ditches on the affected land and on adjacent lands where such structures may be affected by the proposed mining operations;
  - (b) Identify all known aquifers; and
  - (c) Submit a brief statement or plan showing how water from de-watering operations or from runoff from disturbed areas, piled material and operating surfaces will be managed to protect against pollution of either surface or groundwater (and, where applicable, control pollution in a manner that is consistent with water quality discharge permits), both during and after the operation.
- (3) The Operator/Applicant shall provide an estimate of the project water requirements including flow rates and annual volumes for the development, mining and reclamation phases of the project.
- (4) The Operator/Applicant shall indicate the projected amount from each of the sources of water to supply the project water requirements for the mining operation and reclamation.
- (5) The Operator/Applicant shall affirmatively state that the Operator/Applicant has acquired (or has applied for) a National Pollutant Discharge Elimination System (NPDES) permit from the Water Quality Control Division at the Colorado Department of Health and Environment, if necessary.

B. Permitting Change of Contact Form

- i. Select “Permitting Change of Contact Form” from the [DRMS ePermitting Home Page](#).
- ii. Log in to the form.
- iii. Select a Permit Number from the drop down list.
- iv. The current contact information for that permit will be auto-populated.
- v. Select the appropriate checkboxes for the information to be updated (contact name, company name, address, etc.)
- vi. Enter the new information in the open fields.
- vii. Review the information and check the “Yes” box.
- viii. Click “Submit”. You will see a confirmation screen immediately, and receive an email copy of your form within an hour.

### General Information

Business ID:

000000

Permitting Contact form is used to update the contact information for the permittee who is authorized to conduct permitting actions on behalf of the Permittee.

Select a permit number:

000000

### Administrator Name

ADMINISTRATOR FIRST NAME:

John

ADMINISTRATOR LAST NAME:

Smith

ADMINISTRATOR EMAIL:

john.smith@delaware.gov

### Permitting Current Information

Permittee Name:

State of Delaware

City Name:

Dover, DE

Address 1:

1000 Delaware St. DE 19901

Address 2:

City:

Dover

State:

DE

Zip Code:

19901

Permittee ID:

Permit ID:

Other Address:

john.smith@delaware.gov

### Update Contact Information

Select an organization to modify:

☒ Name

☒ Address

☒ City/State

☒ Company Name

☒ Telephone Number

☒ Other Address

First Name:

John

Last Name:

Smith

Company Name:

Address 1:

Address 2:

City:

State:

Zip Code:

Other Address:

Telephone Number:

Fax Number:

### Email Confirmation

Have you reviewed the information provided on this form?

☒ Yes

Your form will now be submitted and confirmation email sent to both you and to the CDEIS specialist. This contact information will be updated pending CDEIS approval, and you will be notified accordingly.

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