



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 15, 2019

Aggregate Industries – WCR, Inc.
Attn: Christine Felz
1687 Cole Blvd, Suite 300
Golden, CO 80401

**RE: Tucson South Resource, M-2004-044, Amendment Number 1 (AM01)
Adequacy Review No. 4**

Dear Ms. Felz,

The Colorado Division of Reclamation, Mining, and Safety (“DRMS” or “Division”), received Aggregate Industries – WCR, Inc. (AI) response to the third adequacy review on November 12, 2019. The Division has reviewed the response letter and revised exhibits/information submitted. Please address the following items:

Rule 6.4.4 – Exhibit D – Mining Plan

1. There are multiple discrepancies in the acreages assigned the South, West and East Areas discussed on proposed revised page D-3. These acreages are not consistent with the revised “Mining Area Acreage Table” on Map C-1. Please address these discrepancies and submit revised pages/maps as appropriate.
2. AI removed the paragraph and figure regarding “ineffective flow areas” that was included in the previously revised mining plan exhibit from the last adequacy review response on pages D-5 and D-6. Please include this information on the proposed revised exhibit.
3. Page D-4 indicates the active mining face will extend no more than 1,500 feet, however the table on proposed page D-6 indicates the worst case active highwall will be 2,300 linear feet. Please update page D-4 to be consistent with the table on page D-6.
4. Please commit to submitting documentation from the Office of the State Engineer that the slurry wall(s) have passed the 90-day leak test prior to exposing groundwater and/or beginning dewatering of the West and East Areas.

Rule 6.4.12 – Exhibit L – Reclamation Cost Estimate

5. The Division has conducted a reclamation cost estimate based on the revised information in Exhibit L. This estimate is enclosed for your review. The estimated reclamation liability at the site based on the worst case scenario presented is \$3,505,000. The Division included a 20% contingency cost for the installation of the slurry wall in the East Cell. Please indicate if you concur with the Division’s estimate.

This concludes the Division’s fourth adequacy review of the AM01 application and revised materials. The Division is required to issue a decision on the application by November 29, 2019. The adequacy issue listed above must be addressed to the Division’s satisfaction prior to the decision date. If you need additional time to



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address these issues you must request an extension of the decision date. Please be aware that that the Division will deny the application if outstanding adequacy issues remain when the decision date arrives or inadequate time is provided for the Division to review the response to the adequacy items. Also, in accordance with Rule 1.4.1(9) the review period may not exceed three hundred and sixty five (365) days from the date the application was filed (November 29, 2019). If at the end of the 365 day period, the application has outstanding adequacy issues, the Division may set the matter for a Board hearing.

If you have any questions feel free to contact me at (303) 866-3567, extension 8120.

Sincerely,

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

Jared Ebert
Senior Environmental Protection Specialist

Enclosure: 1.) *November 15, 2019 – CIRCES Cost Estimate*

EC: Barb Brunk, Resource Conservation Partners, LLC., barbb@dgmllc.com