



March 11, 2020

Colorado Division of Reclamation, Mining and Safety
Attn: Patrick Lennberg, Environmental Protection Specialist
1313 Sherman Street, Room 215
Denver, CO 80203

RE: State Pit M1990-112 Preliminary Adequacy Review Response

Mr. Lennberg,

Attached to this response are maps to address the requirement in #1 of your review. An updated mining and reclamation plan is attached to address item #2 in your review. All 300 acres will be considered disturbed but in various stages of activity or reclamation. A reclamation estimate is also attached for your review. Finally, to address items #3 and #4, an affidavit is attached regarding the importation of material.

If additional information is necessary to complete this request, please feel free to contact me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jodi Schreiber".

Jodi Schreiber
Chief of Operations

719-275-3264
719-529-0916
jodi@arycorp.com

ARY CORPORATION

A&S Construction Co.
Fremont Paving and Redi-Mix, Inc.
Ary Brothers Trucking, Inc.
All-Rite Paving & Redi-Mix, Inc.
Hard Rock Paving and Redi-Mix, Inc.

839 Mackenzie Ave.
Cañon City, CO 81212
719.275.3264



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

February 18, 2020

Ms. Jodi Schreiber
Fremont Paving and Redi Mix, Inc.
839 MacKenzie Avenue
Canon City, CO 81212

RE: Preliminary Adequacy Review; Technical Revision (TR-03); State Pit, Permit No. M-1990-112

Dear Ms. Schreiber,

On February 13, 2020, the Division of Reclamation, Mining and Safety (Division) received a request for Technical Revision (TR-03) to increase the disturbed acreage from 200 acres to 300 acres at any given time and to allow for the importation of inert materials at the State Pit, Permit No. M-1990-112. Please be advised that on March 16, 2020, the application for TR-03 may be deemed inadequate and denied unless the following adequacy items are addressed to the Division's satisfaction. Subsequent to receipt and review of the Operator's response to these items. Please respond to the adequacy items with a letter summarizing each response, to the numbered items below, in a cover letter titled "Preliminary Adequacy Review Response TR-03, M-1990-112".

1. There were no maps included with the TR-03. Please provide updated Mining Plan and Reclamation Plan maps (at minimum) that accurately depict what is proposed by increasing the disturbed acreage from 200 to 300 acres. Note all maps must meet the minimum requirements of Rules 6.2.1(2), 6.4.3, 6.4.4, and 6.4.6.
2. Please clarify if the Operator intends to conduct the mining operation in a phased bonding approach. If the Operator proposes to have a phased mining/bonding operation, please commit to contacting the Division for approval prior to advancing into an un-bonded phase. The request will include the estimated reclamation costs that would be required for opening the additional phase. The Division will review and calculate a new final warranty amount, issuing a Surety Increase revision if necessary. Once the additional amount is posted the Operator will be approved for the new phase. Please note, the Operator may submit a Surety Reduction request for specific reclamation tasks completed in previous or an Acreage Reduction request for portions of the affected lands where final reclamation has been achieved. Released amounts of financial warranty from these requests could be used to help off-set reclamation costs associated with the new phase.
3. Please provide a statement that the inert structural fill imported to the site will meet all the requirements of Rule 3.1.5(9) and in accordance with Rule 3.1.5(9)(c) please submit an affidavit, signed by the Operator now, ensuring that any materials imported to the site for backfilling will be clean and inert.
4. If the Applicant proposes to import concrete rubble to be placed in the mined out sections for backfill material. Please describe how rebar within the rubble will be handled.



This concludes the Division's preliminary adequacy review of your application. The Division reserves the right to further supplement this document with additional adequacy items and/or details as necessary.

The decision date for your application is set for March 16, 2020. However, please allow the Division sufficient time to complete its review by submitting your response no later than five (5) working days prior to the decision date. If additional time is needed to respond, an extension request must be received by our Office by the decision date. If on the decision date, outstanding adequacy items remain, and no extension request has been received, your revision may be denied and the file terminated.

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 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Lennberg".

Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert; Division of Reclamation, Mining & Safety

Technical Revision – State Pit M-1990-112

Update Mining and Reclamation Maps

Fremont Paving and Redi Mix would like to update the mining and reclamation maps for this site. Included in this Technical Revision are updated Mining and Reclamation Maps for reference. The maps included show our current mining operation, with processing and stockpile areas denoted. As we mine through the current acreage, we will proceed easterly. As we finish up the western edge of our current active mining area, we will begin reclamation activities, including sloping at a 3H:1V as necessary and seeding according to the reclamation plan. We will ensure we continue to proceed in a fashion that reclaims areas that are completely mined out as we progress easterly. Fremont will have disturbed up to 300 acres at any given time. Of the 300 acres, at no time will there be more than 150 acres that will need full reclamation consisting of sloping, ripping, topsoil and revegetation. With the increased disturbed acreage increasing from 200 to 300, below is an updated reclamation estimate. Mineral locations are approximate and can change in the field as more information is obtained. Haul roads will be field fit according to conditions.

Direct Tasks	Unit	Quantity	Cost	Total Cost
Placing Topsoil/Fines				
Bull Dozer	Hours	80	\$145.00	\$11,600.00
Loader	Hours	80	\$145.00	\$11,600.00
Seeding				
Broadcasting	Hours	2	\$300.00	\$600.00
Seed Mix	Acre	150	\$500.00	\$75,000.00
Mulch	Acre	150	\$187.50	\$28,125.00
Tracking seed/mulch				
Dozer	Hours	80	\$145.00	\$11,600.00
Area Reclaimed			TOTAL	\$104,150.00
Mobilization Fee	Hours	1	\$100	\$100
Indirect Tasks				
Liability Insurance			0.0155	\$1,614.00
Performance Bond			0.015	\$1,562.00
Profit			0.1	\$10,415.00
Job Superintendent	Hours	20	\$88.00	\$1,760.00
Miscellaneous Indirect			0.0925	\$9,560.25
Total Bond				\$267,686.25

Affidavit

Fremont Paving and Redi Mix, Inc. hereby certifies that the material to be imported to the State Pit (M-1990-112) is clean and inert and adheres to all requirements of Rule 3.1.5(9) and 3.1.5(9)(c). If concrete rubble is imported, it will be placed in the mined-out sections for backfill material and all rebar will be removed prior to placement.

Signature: 

Name: John P. Amy

Date: 2-26-2020

State Pit Mining Map

Approximate
Location of
Scales

92 Acres

45 Acres

Processing Area
/ Stockpile Area

44 Acres

42 Acres

39 Acres

331

2 Acres

4
Acres

3 Acres

7 Acres

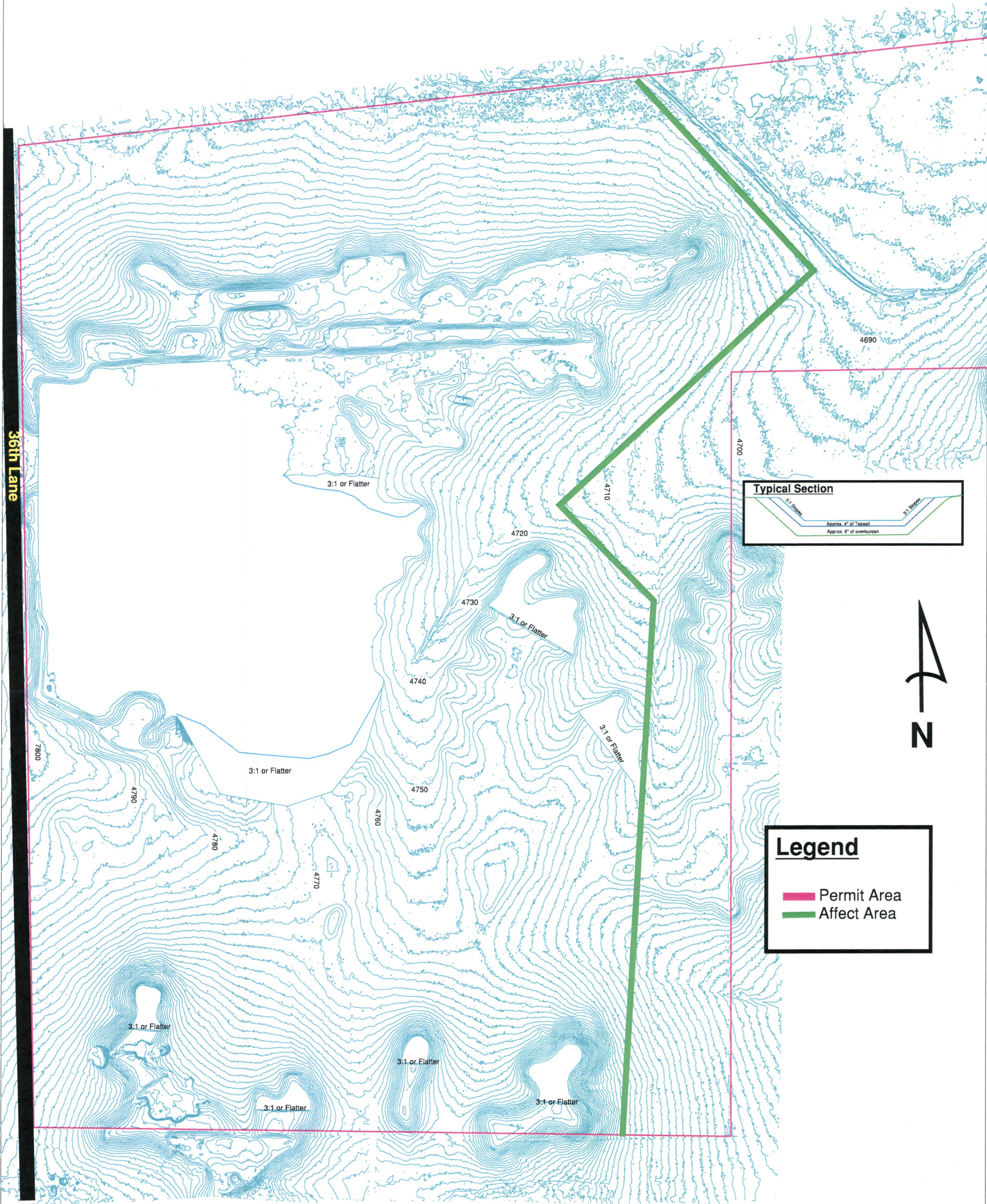
© 2020 Google

Typical Section



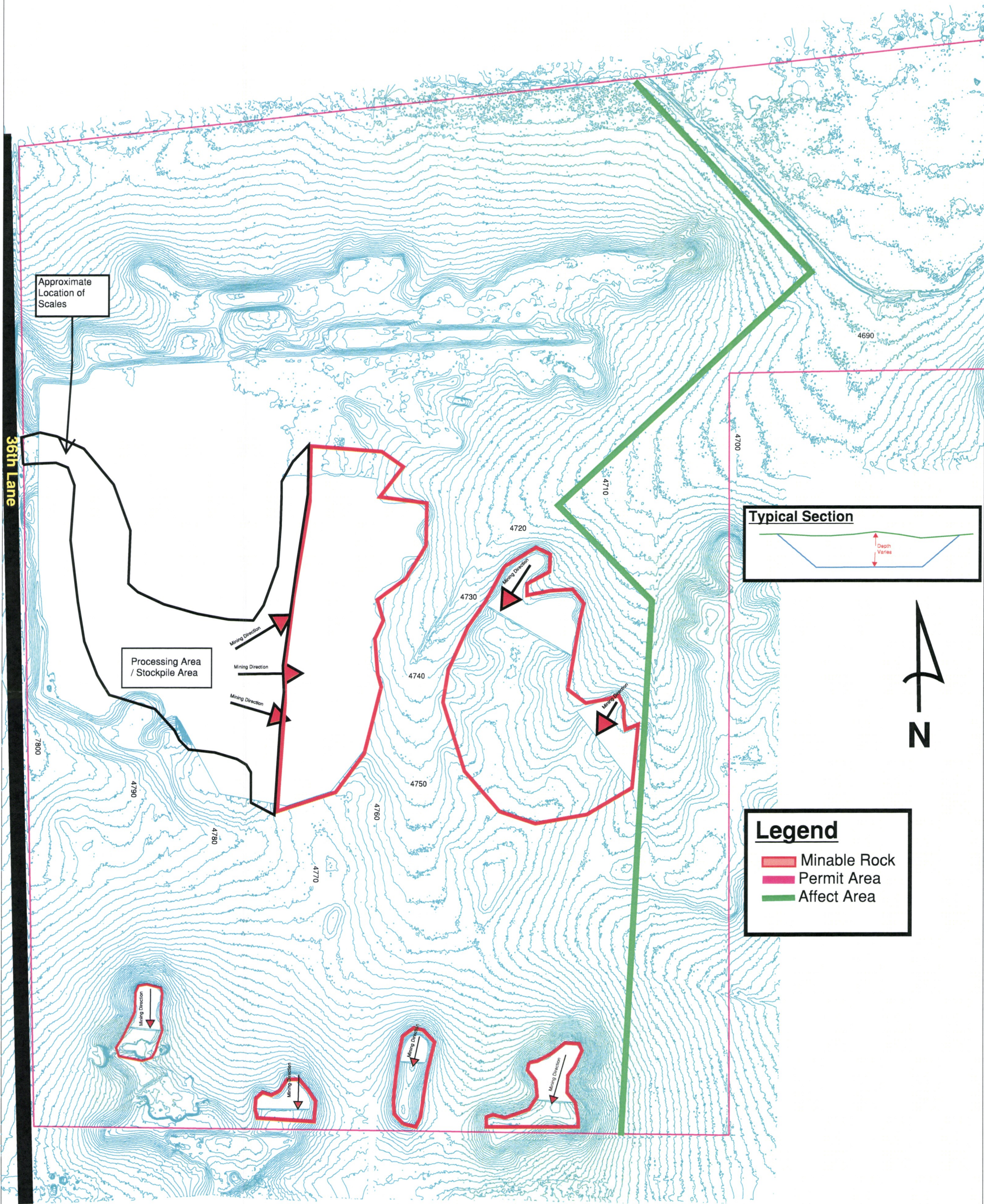
Legend

- Approx. Mineral Location
- Current Operation
- In the process of Reclamation
- Permit Area
- Affect Area



State Pit Reclamation Map (M1990-112)

Map By James Higgs
Fremont Paving and Redi Mix
2/20/20



Package
US AirbillFedEx
Tracking
Number

8158 1142 8980

Form
ID No.

0215

Recipient's Copy

1 From

Date

Sender's
Name

Phone

Company

Address

City

State

ZIP

Dept/Floor/Suite/Room

2 Your Internal Billing Reference

3 To

Recipient's
Name

Phone

Company

Address

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Dept/Floor/Suite/Room

Address

Use this line for the HOLD location address or for continuation of your shipping address.

City

State

ZIP

Hold Weekday

☐ FedEx location address
REQUIRED. NOT available for
FedEx First Overnight.

Hold Saturday

☐ FedEx location address
REQUIRED. Available ONLY for
FedEx Priority Overnight and
FedEx 2Day to select locations.

4 Express Package Service

* To most locations.

Packages up to 150 lbs.
For packages over 150 lbs., use the
FedEx Express Freight US Airbill.

Next Business Day

☐ FedEx First Overnight
Earliest next business morning delivery to select
locations. Friday shipments will be delivered on
Monday unless Saturday Delivery is selected.☐ FedEx Priority Overnight
Next business morning.* Friday shipments will be
delivered on Monday unless Saturday Delivery
is selected.☐ FedEx Standard Overnight
Next business afternoon.*
Saturday Delivery NOT available.

2 or 3 Business Days

☐ FedEx 2Day A.M.
Second business morning.*
Saturday Delivery NOT available.☐ FedEx 2Day
Second business afternoon.* Thursday shipments
will be delivered on Monday unless Saturday
Delivery is selected.☐ FedEx Express Saver
Third business day.*
Saturday Delivery NOT available.

5 Packaging

* Declared value limit \$500.

☐ FedEx Envelope*☐ FedEx Pak*☐ FedEx
Box☐ FedEx
Tube☐ Other

6 Special Handling and Delivery Signature Options

Fees may apply. See the FedEx Service Guide.

☐ Saturday Delivery

NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

☐ No Signature RequiredPackage may be left without
obtaining a signature for delivery.☐ Direct SignatureSomeone at recipient's address
may sign for delivery.☐ Indirect SignatureIf no one is available at recipient's
address, someone at a neighboring
address may sign for delivery. For
residential deliveries only.

Does this shipment contain dangerous goods?

One box must be checked.

☐ No☐ Yes
As per attached
Shipper's Declaration.☐ Yes
Shipper's Declaration
not required.☐ Dry Ice
Dry ice, 9, UN 1845

x kg

Restrictions apply for dangerous goods — see the current FedEx Service Guide.

☐ Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. below

Obtain recip.
FedEx Acct No. ☐☐ Sender
Acct. No. in Section
1 will be billed.☐ Recipient☐ Third Party

Total Packages

Total Weight

lbs.

*Our liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details.



8158 1142 8980

611

Peel-and-Stick FedEx Express Package US Airbill

1. Complete front page of the airbill.
2. Retain "Sender's Copy" for your records.
3. Remove label backing.
4. Adhere airbill to front of package.
Please DO NOT remove "FedEx Copy."



PEEL FROM THIS CORNER.