



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

October 2, 2020

Jeremy Deuto  
Aggregate Industries – WCR, Inc.  
1687 Cole Blvd.  
Golden, CO 80401

### Re: Lyons Quarry, Permit No. M-1977-141, Status of Required Corrective Actions

Mr. Deuto:

The Division of Reclamation, Mining and Safety (Division) is providing the following status update for the corrective actions required by the Division's June 25, 2020 inspection report:

#### **INSPECTION TOPIC:** Reclamation Plan

**PROBLEM #3:** The current reclamation plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-116. The operator must provide sufficient information to describe or identify how the operator intends to conduct reclamation. Specifically, the reclamation plan needs to be updated to describe how the area designated (in TR-2) as Reclamation Area 2 will be reclaimed. The reclamation plan map must also be revised accordingly.

**CORRECTIVE ACTIONS:** By the corrective action date, the operator shall submit a Technical Revision, with the required \$216 fee, to update and clarify the current approved reclamation plan to reflect existing and proposed activities. Specifically, the reclamation plan must be updated to describe how the area designated (in TR-2) as Reclamation Area 2 will be reclaimed. Additionally, the revision must include an updated reclamation plan map that meets the requirements of Rules 6.2.1(2) and 6.4.6.

**CORRECTIVE ACTION DUE DATE:** October 2, 2020

**STATUS UPDATE:** *On October 2, 2020, the operator submitted (via email) a Technical Revision (TR-4) to update the reclamation plan and reclamation plan map for Reclamation Area 2. Therefore, the Division considers this problem to be abated at this time. However, the Division's review of TR-4 will not begin until our office receives the submittal via mail with the required revision fee of \$216.*

#### **INSPECTION TOPIC:** Financial Warranty

**PROBLEM #4:** The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) and Rule 4.2.1(1).

**CORRECTIVE ACTIONS:** By the corrective action date, the operator shall submit an updated bond estimate in accordance with Rule 6.4.12 that includes all information necessary to calculate the costs of reclamation that would be incurred by the state for, at a minimum, the existing disturbance at the site, including the area designated (in TR-2) as Reclamation Area 2. This bond estimate should be included with the Technical Revision submittal required by Problem #3 above.

**CORRECTIVE ACTION DUE DATE:** October 2, 2020



***STATUS UPDATE:*** *On October 2, 2020, the operator submitted (via email) a Technical Revision (TR-4) to update the reclamation plan and reclamation plan map for Reclamation Area 2, including a bond estimate for the proposed reclamation plan. Therefore, the Division considers this problem to be abated at this time. However, the Division's review of TR-4 will not begin until our office receives the submittal via mail with the required revision fee of \$216.*

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129, or by email at [amy.eschberger@state.co.us](mailto:amy.eschberger@state.co.us).

Sincerely,

A handwritten signature in blue ink that reads "Amy Eschberger".

Amy Eschberger  
Environmental Protection Specialist

Cc: Chance Allen, Aggregate Industries - WCR, Inc.  
Michael Cunningham, DRMS