



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

October 27, 2020

Mr. Jerald Schnabel
Castle Concrete Aggregates
7250 Allegheny Drive
Colorado Springs, CO 80203

Mr. Dan Tucker
CWPDA
200 South Main Street
Fowler, CO 81039

**Re: Incompleteness Notice, 112c Construction Materials Amendment Application (AM-05)
Pueblo East Pit, Permit No. M-1986-015**

Messrs. Schnabel and Tucker:

On October 15, 2020, the Division of Reclamation, Mining and Safety (Division) received the 112 Construction Materials Reclamation Permit Amendment Application (AM-05) package for the Pueblo East Pit, File No. M-1986-015. Preliminary review of this application determined the following items must be received before the Division can consider the application as being submitted/filed and the technical review can begin. Please respond to this Incompleteness Notice with the requested additional/updated information on permit application replacement pages and summarize each response in a cover letter titled "Incompleteness Response; M-1986-015".

APPLICATION FORM:

1. Item 3 On page one, the permitted acreage is different than what is currently on file with the Division. The Division has the permit acreage to be 466.16 acres as a result of approval of AM-04. Please check the areas and update the application page as needed.
2. Primary Mine Entrance Location. On page two, the coordinates of the mine entrance given do not match the mine entrance coordinates estimated during the Division's last inspection of the site. Please update with correct coordinates. Note the mine entrance coordinates are part of Exhibit A and are missing.
3. Primary Present Day Land Use. On page four, the present day land use has been marked as pastureland whereas either general agriculture or wildlife habitat should be marked to be consistent with AM-04. Please update.
4. Responsibilities. Question #10, on page six, is initialed, since the applicant is a company the question does not require initials. Please indicate "N/A" for the question.



5. Certification. Please provide the corporate seal on page eight of the application form, if the corporation does not have a seal please indicate "No Seal".
6. The notary did not properly date witnessing the signature, the year is missing, please update.

EXHIBIT R – Proof of Filing with County Clerk and Recorder (Rule 6.4.18):

7. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant's response to these incompleteness issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review

Your 112 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 90 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 complete and filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once a week for four (4) consecutive weeks, starting ten (10) days of the date your application is considered filed. The final date for receiving comments is the twentieth (20th) day after the fourth 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. Should additional time be required to submit all the necessary documents an extension request can be submitted in writing to the Division for consideration of extending the deadline.

The response to this Incompleteness Notice is due on or before December 26, 2020.

This letter shall not be interpreted to mean that there are no other completeness issues or technical deficiencies 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 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert, DRMS

ec: Jerald Schnabel, Castle Aggregates, Jerald_Schnabel@castleaggregate.com
Dan Tucker, CWPDA, dan@cwpa.org