



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

December 29, 2020

Jodi Schreiber
Fremont Paving and Redi Mix, Inc.
PO Box 841
839 Mackenzie Ave
Canon City, CO 81215

**Re: Incompleteness Notice, 112c Construction Materials Amendment Application (AM-02)
Boone-Fillmore Pit, Permit No. M-1990-144**

Ms. Schreiber:

On December 15, 2020, the Division of Reclamation, Mining and Safety (Division) received the 112 Construction Materials Amendment Application for the Boone-Fillmore Pit, File No. M-1990-144. 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-1990-144".

APPLICATION FORM:

1. Location Information. Question #9, on page two, the boxes for the $\frac{1}{4}$ section, $\frac{1}{4}$ - $\frac{1}{4}$ sections were not marked. Please mark one of the boxes where the majority of the mining will occur for each. Also please provide a general description of the number of miles and direction from the nearest town and approximate elevation. Please submit a replacement page two of the application form.
2. Primary Mine Entrance Location. Question #10, page two, a review of the mine entrance coordinates using aerial imagery in Google Earth Pro do not accurately mark the proposed mine entrance or match the coordinates given in Exhibit B. Please update with the correct coordinates.
3. Correspondence Information. Question #11, page three, please provide the information for the inspection contact or verify that the inspection contact is the same as the operator.
4. Primary future and Primary Present land use. Questions #12 and #13, page 4, the current approved land uses for the pit is rangeland, does the operator want to change the land use to pastureland?
5. Responsibilities. Question #10, on page six, is initialed, the question does not require initials. Please indicate "N/A" for the question.



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

6. 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 Recorders Office, and made available for public review

Your Amendment 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 for the Division's consideration.

The response to this Incompleteness Notice is due on or before February 27, 2021.

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: Ron Fillmore, ronfill@hotmail.com
Jodi Schreiber, Fremont Paving and Redi Mix, Inc., jodi@arycorp.com