



REALtime Aquifer Services

September 8, 2020

Mr. V. C. Pyles
Gillette Sand and Gravel, Inc.
20575 Hwy 24
Woodland Park, CO 80863

RE: Evaluation of Air Emissions Reporting and Permitting Requirements, Gillette Mine

Dear Mr. Pyles:

RealTime Aquifer Services (RAS) has prepared this document at your request to evaluate potential air emissions at the Gillette Mine and associated reporting and permitting requirements. Our evaluation is based on data that you provided in support of an Air Pollution Emission Notification (APEN) application to the Colorado Department of Public Health and Environment (CDPHE). A complete draft application (CDPHE Form APCD-222), including site-specific information for the mine, is attached to this document. At your request, it has not been submitted to the CDPHE. We also researched current CDPHE regulations and contacted the CDPHE for confirmation of our findings.

At the current production rate of 42,000 tons per year, we believe that operation of the Gillette Mine, including the crushers and conveyors described in the draft Form APCD-222 does not require submittal of an APEN and will not require an emission permit. Because production is less than the CDPHE threshold of 70,000 tons per year, it does not require any regulatory notification. This is the opinion of RAS, based on our knowledge of applicable regulations and operation of the Gillette Mine.

Colorado air regulations provide a specific permitting exemption for "Surface mining activities that mine seventy thousand tons or fewer of product material per year." This exemption can be found in Colorado Regulation Number 3, specifically in Part B, Section II.D.1.g. (page 78). While that exemption specifically does not apply to crushers/screens/other processing equipment in use at the site, we do not believe that operation of this processing equipment would trigger CDPHE reporting requirements.

The exemption also clarifies that a fugitive dust control plan is required for sources like crushers and conveyors, but the need for a plan is contingent on whether or not the emissions from the mine are below the APEN threshold of 2 tons per year of particulate material (before application of any emissions controls).

Based on the throughput and moist characteristics of the material being mined (as described on Form APCD-222), we believe that emissions will be below the 2-ton annual threshold for particulates. Therefore we believe that a fugitive dust control plan is not be required.

RAS also used the site-specific data to populate the CDPHE's Excel spreadsheet-based emissions screening tool *AP_Crushing-and-Screening-Emission-Calculator*. The spreadsheet output (attached) indicates that an APEN or permitting are not required.



REALtime Aquifer Services

To determine and document whether emissions are below the APEN threshold, an APEN could be submitted voluntarily to the CDPHE. The Division would then determine your emissions and send you either a permit exemption letter (if emissions are above 2 tons per year and annual production is less than 70,000 tons per year) or an APEN exemption letter (if emissions are below 2 tons per year). Submittal of this application would require the \$216.00 APEN filing fee. It is important to note that if the mine operation is below the APEN exemption threshold, the CDPHE Air Pollution Control Division cannot legally compel you to submit an APEN and any submission would be on a voluntary basis.

Summary

RAS believes that air pollutant emissions from your operation are below threshold levels and therefore you are not required to submit an APEN or prepare a fugitive dust control plan. If conditions change and you are concerned that emissions will increase to above the APEN threshold, or production rises above the 70,000 ton/year threshold, we recommend that you submit an APEN and filing fee to the CDPHE for their evaluation.

If you require documentation from the CDPHE, and you would prefer to voluntarily have them determine your emission levels, you can submit an APEN and filing fee and they will provide you with either an APEN exemption letter or permit exemption letter, depending on their findings. Under any scenario, as long as production does not exceed 70,000 tons annually, the operation is exempt from permitting, and you would not be charged more than the filing fee.

We appreciate the opportunity to provide you with this evaluation. We believe that this letter will provide you with the information necessary to maintain compliance at the Gillette Mine. Should you have additional questions, comments, or require any information, please contact me at 303-808-6133 or at bren.shine@q.com.

Regards,
RealTime Aquifer Services

Brendan Shine, P.E.
Senior Geological Engineer

William Pedler
President/ Geological Engineer

Cc: Mr. Elliott Russell, Colorado DRMS

Attachments:

Draft APEN Form APCD-222 for the Gillette Mine
APCD AP_Crushing-and-Screening-Emission-Calculator output

Attachment – Gillette Mine Preliminary APEN Form 222



Mining Operations APEN – Form APCD-222

Air Pollutant Emission Notice (APEN) and Application for Construction Permit

All sections of this APEN and application must be completed for both new and existing facilities, including APEN updates. Incomplete APENs will be rejected and will require re-submittal. *Your APEN will be rejected if it is filled out incorrectly, is missing information, or lacks payment for the filing fee. The re-submittal will require payment for a new filing fee.*

This APEN is to be used for mining operations (i.e. quarries, pits, or mines). This APEN may also be used to report haul road activities at non-mining facilities. Additional APENs may be required for process equipment located at the mine. A specialty APEN may be available for the process equipment (e.g. asphalt plant, crusher/screen, concrete batch plant, engines, etc.). In addition, the General APEN (Form APCD-200) is available if the specialty APEN options will not satisfy your reporting needs. A list of all available APEN forms can be found on the Air Pollution Control Division (APCD) website.

This emission notice is valid for five (5) years. Submission of a revised APEN is required 30 days prior to expiration of the five-year term, or when a reportable change is made (significant emissions increase, increase production, new equipment, change in fuel type, etc.). See Regulation No. 3, Part A, II.C. for revised APEN requirements.

Permit Number: _____ AIRS ID Number: _____ / _____ / _____
[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 1 - Administrative Information

Company Name¹: Gillette Sand and Gravel, Inc.

Mine/Pit Name: Gillette Mine

Mine/Pit Location: Teller County Road 81 Mine/Pit Location County: Teller
7.2 miles north of Victor

Mailing Address: 20575 Highway 24 NAICS or SIC Code: _____
(Include Zip Code) Woodland Park, CO 80863

Contact Person: Mr. V. Chris Pyles

Phone Number: 719-687-3111

E-Mail Address²: utesng@yahoo.com

¹ Use the full, legal company name registered with the Colorado Secretary of State. This is the company name that will appear on all documents issued by the APCD. Any changes will require additional paperwork.

² Permits, exemption letters, and any processing invoices will be issued by the APCD via e-mail to the address provided.

Permit Number: _____

AIRS ID Number: _____

/ /

[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 2 - Requested Action

☒ NEW permit OR newly-reported emission source

- OR -

☐ MODIFICATION to existing permit (check each box below that applies)

☐ Change fuel or equipment

☐ Change company name³

☐ Add point to existing permit

☐ Change permit limit

☐ Transfer of ownership⁴

☐ Other (describe below)

- OR -

☐ APEN submittal for update only (Note blank APENs will not be accepted)

- ADDITIONAL PERMIT ACTIONS -

☒ APEN submittal for permit exempt/grandfathered source

Additional Info & Notes: Because annual aggregate production is less than 42,000 tons, we believe that this site is exempt from APEN notification and permitting requirements (per Colorado Regulation Number 3, Part B, Section IID.1.g. We are requesting documentation to confirm any exemption

³ For company name change, a completed Company Name Change Certification Form (Form APCD-106) must be submitted.

⁴ For transfer of ownership, a completed Transfer of Ownership Certification Form (Form APCD-104) must be submitted.

Section 3 - General Information

General description of the activity (additionally, provide a topographic site map):

Surface aggregate mine with conveyors, crushers and classifiers

For existing sources, operation began on: _____

For new or reconstructed sources, the projected start-up date is: August 15, 2020

Normal Hours of Source Operation: 8.5 hours/day 5 days/week 22 weeks/year

Seasonal use percentage: Dec-Feb: 0 Mar-May: 0 Jun-Aug: 50 Sep-Nov: 50

Commodity Produced: (check each box below that applies - as indicated on the applicable Division of Minerals and Geology Permit)

☒ Aggregate / Sand and Gravel

☐ Stone

☐ Coal

☐ Minerals or Metals (type): _____

☐ Other (describe): _____

Permit Number: _____

AIRS ID Number: _____

/ /

[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 4 - Processing/Manufacturing Information & Material Use

☐ Check this box if APEN is for Haul Roads only (not located at a mining site) and complete the applicable sections, **Section 4H - Raw Material Transport** and/or **Section 4I - Finished Product Transport** on pages 6 and 7. Otherwise complete all of **Section 4**.

From what year is the *actual annual amount*? 2019

Actual Annual Production (tons)	42,000
Requested Annual Production ⁵ (tons)	up to 50,000

⁵ Requested values will become permit limitations or will be evaluated for exempt status, as applicable, and should consider future process growth. Requested values are required on all APENs, including APEN updates.

Section 4A - Topsoil

Removal
Topsoil removed daily (tons) <u>1.53</u>
Topsoil removed annual (tons) <u>168</u>
Proposed controls for topsoil removal
<input checked="" type="checkbox"/> Moist Material
<input type="checkbox"/> Water Spray
<input type="checkbox"/> Other (specify): _____

Stockpile(s)
Maximum stored on site (tons) <u>420</u>
Proposed controls for topsoil stockpile
<input type="checkbox"/> Watering
<input type="checkbox"/> Chemical Stabilizer
<input type="checkbox"/> Compacting of Piles
<input type="checkbox"/> Enclosures (choose one option from below)
<input type="checkbox"/> Complete <input type="checkbox"/> Partial
<input checked="" type="checkbox"/> Revegetation (must occur within one year of site disturbance)
<input type="checkbox"/> Other (specify): _____

Section 4B - Overburden

Removal
Equipment used for removal <u>Not Applicable;</u> <u>no overburden is removed</u>
Tons removed by dragline (daily) _____
Tons removed by dragline (annual) _____
Dragline drop height (feet) _____
Hours scraper operated (daily) _____
Hours scraper operated (annual) _____
Proposed controls for overburden removal
<input type="checkbox"/> Moist material
<input type="checkbox"/> Water Spray
<input type="checkbox"/> Other (specify): _____

Stockpile(s)
Maximum stored on site (tons) <u>Not Applicable;</u> <u>no overburden is removed</u>
Proposed controls for overburden stockpile
<input type="checkbox"/> Watering
<input type="checkbox"/> Chemical stabilizer
<input type="checkbox"/> Compacting of piles
<input type="checkbox"/> Enclosures (choose one option from below)
<input type="checkbox"/> Complete <input type="checkbox"/> Partial
<input type="checkbox"/> Revegetation (must occur within one year of site disturbance)
<input type="checkbox"/> Other (specify): _____

Permit Number: _____

AIRS ID Number: _____

/ /

[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 4C - Drilling and Blasting

Drilling	Blasting
Number of holes drilled <i>(daily)</i> Not Applicable; no drilling operations	Blast area <i>(acres)</i> Not Applicable; no blasting operations
Number of holes drilled <i>(annual)</i> _____	Number of blasts <i>(daily)</i> _____
Proposed controls for drilling	Number of blasts <i>(annual)</i> _____
<input type="checkbox"/> Water injection	Type of blasting material _____
<input type="checkbox"/> Bag collectors	Blasting material used <i>(daily)</i> _____
<input type="checkbox"/> Other <i>(specify)</i> : _____	Blasting material used <i>(annual)</i> _____

Section 4D - Raw Material

Removal	Stockpile(s)
Material removed daily <i>(tons)</i> 382	Maximum stored on site <i>(tons)</i> 350
Material removed annual <i>(tons)</i> 42,000	Proposed control for raw material stockpile
Maximum drop height <i>(feet)</i> 15	<input type="checkbox"/> Watering
Specific moisture content (%) 3.5	<input type="checkbox"/> Chemical stabilizer
Proposed controls for raw material removal	<input type="checkbox"/> Compacting of piles
<input checked="" type="checkbox"/> Moist material	<input type="checkbox"/> Enclosures <i>(choose one option from below)</i>
<input type="checkbox"/> Water spray	<input type="checkbox"/> Complete <input type="checkbox"/> Partial
<input type="checkbox"/> Other <i>(specify)</i> : _____	<input type="checkbox"/> Other <i>(specify)</i> : <u>Raw material is moist</u>

Section 4E - Conveyors and Transfer Points *(not assigned to process equipment)*

Include a map detailing the conveyor system layout within the site. **Map is attached**

Conveying	Transfer Points
Material conveyed daily <i>(tons)</i> 44	Number of transfer points 9
Material conveyed annual <i>(tons)</i> 4,860	Proposed controls for transfer points
Proposed controls for conveyors	<input type="checkbox"/> Watering
<input type="checkbox"/> Enclosures <i>(choose one option from below)</i>	<input type="checkbox"/> Chemical stabilizer
<input type="checkbox"/> Complete <input type="checkbox"/> Partial	<input type="checkbox"/> Enclosures <i>(choose one option from below)</i>
<input type="checkbox"/> Other <i>(specify)</i> : moist material (approx. 3.5% moisture content)	<input type="checkbox"/> Complete <input type="checkbox"/> Partial
	<input type="checkbox"/> Other <i>(specify)</i> : moist material (approx. 3.5% moisture content)

Permit Number: _____

AIRS ID Number: _____

/ /

[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 4F - Processing EquipmentWill processing (e.g. crushing, screening, etc.) occur on site? (yes/no) yesIf you answered "No" above (i.e. no processing/manufacturing equipment will be located on site) check the box below and skip to page 6, **Section 4G - Finished Product**.☐ Check this box if no process equipment is located on site.

List any additional emission sources and related controls (e.g. concrete batch plants, crushers/screens, engines, conveyors and transfer points associated with process equipment, asphalt plants, etc.). Additional APENs for any such equipment may be required. The following specialty APENs are available: Form APCD-224 Concrete Batch Plant APEN, Form APCD-221 Crusher/Screen APEN, Form APCD-233 Compression Ignition Engine APEN. If a specialty APEN is not appropriate for the additional equipment, use Form APCD-200 General APEN.

Additionally, complete the section below regarding crushing and screening performed on site.

Emission Source (or equipment type)	m Control Equipment Description	Permit Number (if available)
Jaw crusher (primary)	Moist material	Not applicable (no permit)
Cone crusher (secondary)	Moist material	Not applicable (no permit)
Conveyors, up to eight (50 ft x 3 ft)	Moist material	Not applicable (no permit)
Coarse material finish washer/stacker	Water spray bars	Not applicable (no permit)
Two Caterpillar loaders	Moist material (high water table)	Not applicable (no permit)
Excavator (Volvo 800 crawler)	Moist material (high water table)	Not applicable (no permit)
Generator (Caterpillar 3406)	None	Not applicable (no permit)

Primary Crushing

Maximum crushed per year (tons) 610

Design process rate (tons/hour) 20

Duration of daily crushing (hours) 8 (as needed)

Secondary Crushing

Maximum crushed per year (tons) 1,620

Design process rate (tons/hour) 20

Proposed control for crushing

☒ Moist material☐ Water spray☐ Enclosures (choose one option from below)☐ Complete ☐ Partial

☒ Other (specify) Crushed material is mixed with moist raw material resulting in de minimus dust generation

Screening/Classifying

Maximum screened per year (tons) 4,860

Design process rate (tons/hour) 45

Duration of daily screening (hours) 8 (as needed)

Secondary Screening/Classifying

Maximum screened per year (tons) 4,860

Design process rate (tons/hour) 45

Proposed control for screening

☐ Moist material☒ Water spray☐ Enclosures (choose one option from below)☐ Complete ☐ Partial☐ Other (specify): _____

Note: Completion of this section does not relieve the applicant from the requirement to submit APEN forms for process equipment subject to APEN or permitting requirements.

Permit Number: _____ AIRS ID Number: _____ / _____ / _____
[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 4G - Finished Product

Stockpile(s)

Maximum stored on site (tons) 350

Proposed control for finished product stockpile

- ☒ Watering
- ☐ Chemical stabilizer
- ☐ Compacting of piles
- ☐ Enclosures (choose one option from below)
- ☐ Complete ☐ Partial
- ☐ Revegetation (must occur within one year of site disturbance)
- ☐ Other (specify): _____

Section 4H - Raw Material Transport (raw material removal to stockpiles)

Annual on-site transfer: Not Applicable

	<u>Haul Vehicle 1</u>	<u>Haul Vehicle 2</u>	<u>Haul Vehicle 3</u>	
Haul vehicle capacity:	_____	_____	_____	tons
Haul vehicle empty weight:	_____	_____	_____	tons
Max number of trips per day:	_____	_____	_____	
Haul road length (avg. one way):	_____	_____	_____	feet
Posted speed limit on haul road:	_____	_____	_____	mph

List all air pollution controls used for the haul roads:

- ☐ Paved Surface
- Street sweeping: ☐ No ☐ Yes
- ☐ Unpaved Surface
- Watering: ☐ None ☐ As needed ☐ Frequent⁶: _____ times/day
- Surface is graveled: ☐ No ☐ Yes
- Chemical stabilizer applied: ☐ No ☐ Yes Type: _____
(e.g. mag chloride, resin, etc.)

⁶ If "Frequent" is selected, your permit may include a requirement to water haul roads daily as often as listed in this APEN.

Permit Number: _____

AIRS ID Number: _____

/ /

[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 4I - Finished Product TransportAnnual off-site transfer: 42,000 tons

	<u>Haul Vehicle 1</u>	<u>Haul Vehicle 2</u>	<u>Haul Vehicle 3</u>	
Haul vehicle capacity:	<u>25 tons</u>	<u>15 tons</u>	_____	tons
Haul vehicle empty weight:	<u>34000 lb</u>	<u>24000 lb</u>	_____	tons
Max number of trips per day:	<u>6</u>	<u>6</u>	_____	
Haul road length (avg. one way):	<u>1200 ft.</u>	<u>1200 ft</u>	_____	feet
Posted speed limit on haul road:	<u>10</u>			mph

List all air pollution controls used for the haul roads:

☐ Paved SurfaceStreet sweeping: ☐ No ☐ Yes☒ Unpaved SurfaceWatering: ☐ None ☒ As needed ☐ Frequent⁶: _____ times/daySurface is graveled: ☐ No ☒ YesChemical stabilizer applied: ☐ No ☐ Yes Type: _____

(e.g. mag chloride, resin, etc.)

⁶ If "Frequent" is selected, your permit may include a requirement to water haul roads daily as often as listed in this APEN.**Section 5 - Geographical/Site Information**Geographical Coordinates
(Latitude/Longitude or UTM)38°46'43.22"N/-105°7'9.12"W

Attach a topographic site map indicating location.

Total site area (acres): 32Total disturbed site area (acres): 3.88 (2019)

Proposed site controls

☒ Watering (choose one option from below)☐ Frequent (2 or more times per day)☒ As needed☐ Chemical stabilizer☒ Revegetation (must occur within one year of site disturbance)☐ Seeding with mulch☒ Seeding without mulch☐ Other (specify): _____

Permit Number: _____

AIRS ID Number: _____

/ /

[Leave blank unless APCD has already assigned a permit # and AIRS ID]

Section 6 - Applicant Certification

I hereby certify that all information contained herein and information submitted with this application is complete, true, and correct.

Signature of Legally Authorized Person (not a vendor or consultant)

Date

V. Chris Pyles

President

Name (print)

Title

Check the appropriate box to request a copy of the:

- ☐ Draft permit prior to issuance
☐ Draft permit prior to public notice

(Checking any of these boxes may result in an increased fee and/or processing time)

This emission notice is valid for five (5) years. Submission of a revised APEN is required 30 days prior to expiration of the five-year term, or when a reportable change is made (significant emissions increase, increase production, new equipment, change in fuel type, etc.). See Regulation No. 3, Part A, II.C. for revised APEN requirements.

Send this form along with \$216.00 to:

Colorado Department of Public Health and Environment
Air Pollution Control Division
APCD-SS-B1
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Make check payable to:

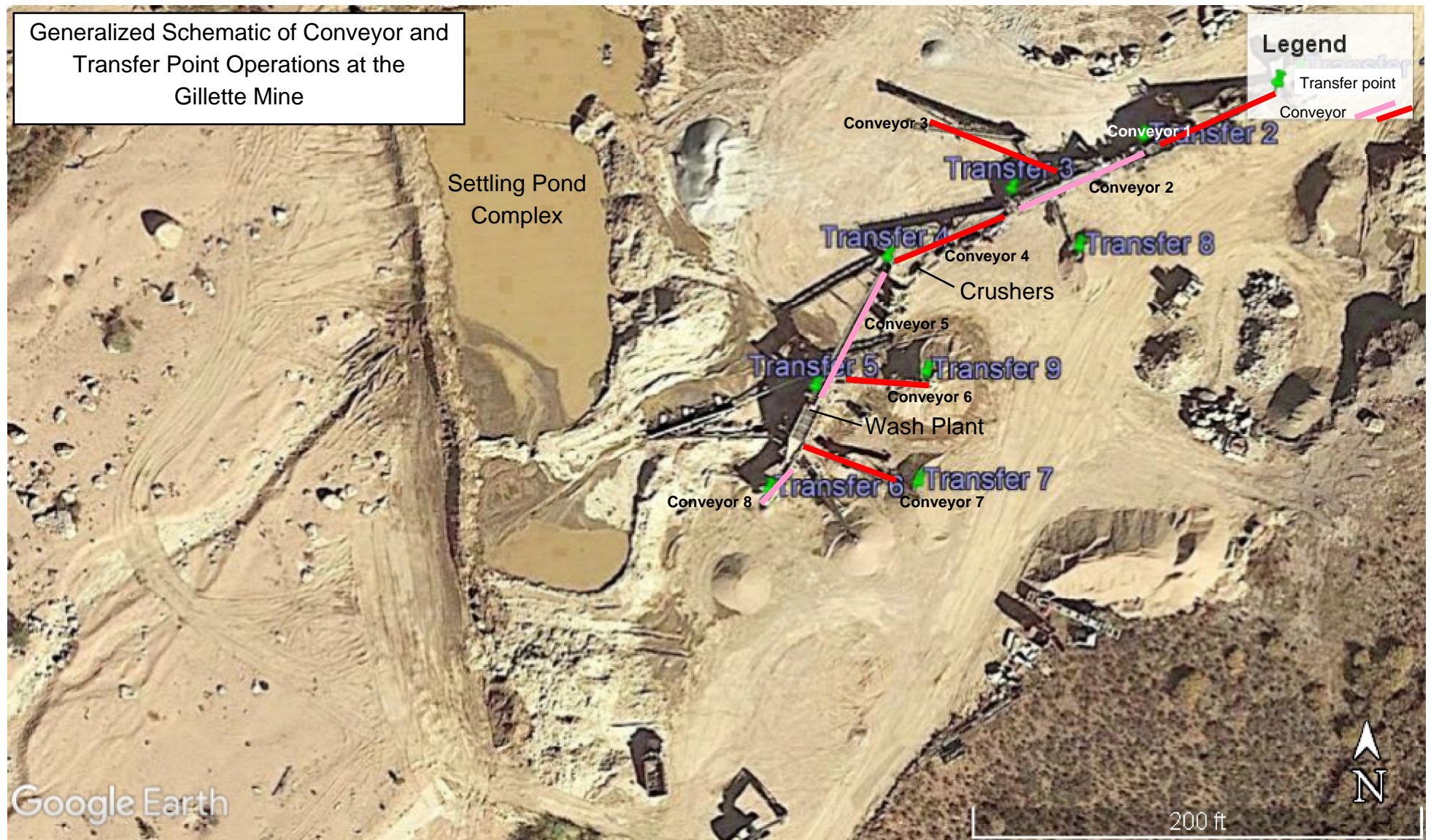
Colorado Department of Public Health and Environment

For more information or assistance call:

Small Business Assistance Program
(303) 692-3175
OR
(303) 692-3148

APCD Main Phone Number
(303) 692-3150

Generalized Schematic of Conveyor and
Transfer Point Operations at the
Gillette Mine



Attachment – APCD AP_Crushing-and-Screening-Emission-Calculator output

Crushing and Screening Emissions Calculator

Instructions: Fill in your information into the teal-colored boxes and refer to the yellow highlighted boxes for your reportable calculated emissions.

If you have multiple pieces of equipment, only use the calculator for one piece of equipment at a time to get accurate results for APEN and Permitting requirements. For example, calculate the emissions from your crusher, clear out the calculator and then calculate emissions from the screen since the need for an APEN is based on the emissions from the single piece of equipment. There is an option for combo units.

If values appear as gray and/or crossed out, they are not above the reporting threshold and can be ignored.

Type of equipment: **Crusher and Screen Combo Unit**
 Do you control PM emissions with water spray? **No**
 Do materials go through secondary crushing? **Yes**
 How many tons of material go through secondary crushing? **4,860** tons
 Do materials go through secondary screening? **Yes**
 How many tons of material go through secondary screening? **4,860** tons
 Annual Amount of Material Processed: **42,000** tons per year
 Number of Material Transfer Points: **9**

Note: Wind speed is assumed to be 5.6 mph and moisture content is assumed to be 8%

APEN Required?	NO
Permit Required?	NO

Total Emissions (tons/year)

	Uncontrolled	Controlled
TSP	1.29	1.29
PM ₁₀	0.47	0.47
PM _{2.5}	0.10	0.10

Note: A Construction Permit is required if the total actual uncontrolled emissions from ALL emission points at the site that require an APEN (including the fugitive dust emissions from any mining operations) are 5 or more tons per year of PM_{2.5} or PM₁₀, or 10 tons or more per year of total particulates. If the crusher/screen is above the APEN-required threshold, but below the permit-required threshold, it will still need a permit to operate at an otherwise permit-required site.

TSP Emission Calculations

Emission Source	Uncontrolled Emission Factor (lb/ton)	Uncontrolled TSP Emission (ton/year)	Control %	Controlled TSP Emission (ton/year)
CRUSHER HOPPER LOADING	0.0004	0.0083	0.00%	0.0083
PRIMARY CRUSHING	0.0054	0.1134	0.00%	0.1134
SCREENING	0.0250	0.5250	0.00%	0.5250
SECONDARY CRUSHING	0.0054	0.0131	0.00%	0.0131
RESCREENING	0.0250	0.0608	0.00%	0.0608
CONVEYORS AND TRANSFER POINTS	0.0030	0.5670	0.00%	0.5670
Total TSP:	-	1.29	0.00%	1.29

PM₁₀ Emission Calculations

Emission Source	Uncontrolled Emission Factor (lb/ton)	Uncontrolled PM ₁₀ Emission (ton/year)	Control %	Controlled PM ₁₀ Emission (ton/year)
CRUSHER HOPPER LOADING	0.0002	0.0039	0.00%	0.0039
PRIMARY CRUSHING	0.0024	0.0504	0.00%	0.0504
SCREENING	0.0087	0.1827	0.00%	0.1827
SECONDARY CRUSHING	0.0024	0.0058	0.00%	0.0058
RESCREENING	0.0087	0.0211	0.00%	0.0211
CONVEYORS AND TRANSFER POINTS	0.0011	0.2079	0.00%	0.2079
Total PM ₁₀ :	-	0.47	0.00%	0.47

PM_{2.5} Emission Calculations

Emission Source	Uncontrolled Emission Factor (lb/ton)	Uncontrolled PM _{2.5} Emission (ton/year)	Control %	Controlled PM _{2.5} Emission (ton/year)
CRUSHER HOPPER LOADING	0.0000	0.0006	0.00%	0.0006
PRIMARY CRUSHING	0.0004	0.0076	0.00%	0.0076
SCREENING	0.0013	0.0274	0.00%	0.0274
SECONDARY CRUSHING	0.0004	0.0084	0.00%	0.0084
RESCREENING	0.0013	0.0274	0.00%	0.0274
CONVEYORS AND TRANSFER POINTS	0.0002	0.0312	0.00%	0.0312
Total PM _{2.5} :	-	0.10	0.00%	0.10

Note: A PM_{2.5}/PM₁₀ ratio was assumed to be 0.15 based on <http://www3.epa.gov/ttnchie1/conference/e115/session14/cowherd.pdf>



Air Emissions Regulatory Notification and Permitting Requirements

1 message

Brendan Shine <bren.shine@q.com>

Tue, Sep 8, 2020 at 3:12 PM

To: Ute Pass Concrete-Sand & Gravel <utesng@yahoo.com>

Cc: elliott.russell@state.co.us, Bill Pedler <bpedler@rasinc.org>, lwilliams@rasinc.org

Dear Mr. Pyles:

As you requested, RealTime Aquifer Services (RAS) has prepared the attached letter to summarize our understanding of your regulatory and notification requirements for air emissions at the Gillette Mine. We believe that permitting and reporting through the Colorado Department of Public Health and Environment would not be required under current mine operations and production rates. This is because the production rate of the mine falls below the 70,000 ton/year APEN threshold and the material transported through operation of the conveyor and crusher system unlikely to produce more than 2 tons per year of particulate (fugitive dust) material. In addition, a fugitive dust control plan would not be necessary under the current operation conditions.

We appreciate the opportunity to provide you with our continued services. If you require any additional information, please contact me.

Best Regards,

Brendan

Brendan Shine, P.E.

RealTime Aquifer Services

303.808.6133

bren.shine@q.com

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Air Regulatory Requirement Letter 9-8-20.pdf

2386K