



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

February 27, 2021

Jeff A. Carter
SSG Mining Inc.
15954 Jackson Ck Pkwy B281
Monument, CO 80132

Re: SSG Mining Inc., Lombard #3, File No. M-2020-057, Second Incomplete Submittal of Limited Impact Operation 110(1) Reclamation Permit Application Form

Mr. Carter:

On February 4, 2021, the Division of Reclamation, Mining and Safety (Division/DRMS) received the incompleteness response for the Limited Impact Operation 110(1) Reclamation Permit Application Form for the Lombard #3 site, File No. M-2020-057. Preliminary review of the information received determined the following items must be received before the Division can consider the form as being submitted and technical review can begin:

Application Form / 6.3.1 Exhibit A - Legal Description

1. Rule 6.3.1(1) states the legal description must identify the affected land, specify affected areas and be adequate to field locate the property. Description shall be by (A) township, range, and section, to at least the nearest quarter quarter section, and (B), location of the main entrance to the mine site reported as latitude and longitude, or the Universal Transverse Mercator (UTM) Grid as determined from a USGS topographic map. A metes and bounds survey description is acceptable in lieu of township, range, and section. Where available, the street address or lot number(s) shall be given. This information may be available from the County Assessor's office or U.S. Geological Survey (USGS) maps.

Item #10, on Page 3 of the Application Form - Location Information the Applicant lists the location of the proposed mine site as the **NE** quarter/quarter section, of the **NE** quarter section, Range 74 West, Township 3 South and Section 1. On Exhibit A - Legal Description, the Applicant lists the location of the proposed mine site as the **NW** quarter/quarter, of the **NW** quarter section, Range 74 West, Township 3 South and Section 1.

The Applicant failed to explain this discrepancy or revised the application form and/or Exhibit A in the incompleteness response. Please explain this discrepancy and revised the application form and/or Exhibit A accordingly.



2. The Applicant successfully addressed Item #2 from the Division's incompleteness letter dated December 10, 2020.
3. Item #14, on Page 4 of the application form states, if this operation will use designated chemicals, or will result, or presently has acid mine drainage - you cannot use this application form. The proposed mine site is located in an area of known acid producing ore bodies. Please provide an acid base accounting (ABA) test for proposed mine site demonstrating the ore body is not acid producing or withdraw this application and submit the appropriate designated mining operation (DMO) application package for the Lombard #3 site.

The Applicant failed to address the Division's concerns regarding if the proposed mining operation is a designated mining operation in the incompleteness response. Please address the Division's concerns regarding the proposed mine site being located in an area of known acid producing ore bodies.

6.3.7 Exhibit G - Source of Legal Right to Enter

4. The Applicant states the owner of the surface and subsurface rights for the proposed mining operation as the United States Forest Service (USFS). Please provide documentation of the legal right to enter to conduct mining and reclamation for Owners of Record described in Rule 1.6.2(1)(e)(i). This may include a copy of a lease, deed, abstract of title, a current tax receipt, or a signed statement by the Landowner(s) and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation.

Please provide a copy of the approved Plan of Operation (POO) from the USFS as the source of legal right to enter. The Division cannot consider the application as complete until the POO is obtained from the USFS.

6.3.9 Exhibit I - Proof of Filing with County Clerk

5. The Applicant successfully addressed Item #5 from the Division's incompleteness letter dated December 10, 2020.
6. Please provide an affidavit or receipt indicating the date on which the revised application documents were placed with the Clear Creek County Clerk in response to this letter.

6.3.10 Exhibit J - Proof of Mailing of Notices to Board of County Commissioners and Conservation District

7. The Applicant successfully addressed Item #10 from the Division's incompleteness letter dated December 10, 2020.

6.3.12 Exhibit L - Permanent Man-Made Structures

8. The Applicant did not provide Exhibit L - Permanent Man-Made Structures with the application package. Please provide information sufficient to demonstrate that the stability of any structures located within two hundred (200) feet of the operation or affected land will not be adversely affected in accordance with Rule 6.3.12.

The Applicant failed to provide Exhibit L - Permanent Man-Made structures in the incompleteness response. Please provide information sufficient to demonstrate that the stability of any structures located within two hundred (200) feet of the operation or affected land will not be adversely affected in accordance with Rule 6.3.12.

Public Notice

9. The Applicant successfully addressed Item #9 from the Division's incompleteness letter dated December 10, 2020.

Your 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 30 days from the date of receipt of all of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. Republication must occur once within ten (10) days of the submittal date. We will notify you when you should initiate republication of your notice. The final date for receiving comments is ten (10) days after the date of publication or the next regular business day.

You have sixty (60) days from the date of this letter to submit all necessary documents the Office needs for the 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 Office, the Office shall deny the application and terminate the application file.

The response due date is April 28, 2021.

This letter shall not be construed to mean there are no other 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 have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays
Environmental Protection Specialist

Ec: Jared Ebert, DRMS