



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

March 12, 2021

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: Adequacy Review No. 3; 112c Construction Materials Amendment Application (AM-05), Pueblo East, Permit No. M-1986-015

Messrs. Schnabel and Tucker:

On November 9, 2020, the Division of Reclamation, Mining and Safety (Division) deemed the above referenced application complete for the purposes of filing. Pursuant to Rule 1.4 the 90-day decision date for the application was set for February 8, 2021. On March 9, 2021 the Division approved an extension request to extend the decision date to April 9, 2021. Please be advised on April 9, 2021, the application may be deemed inadequate and may be denied unless the following adequacy items are addressed to the Division's satisfaction. On March 3, 2021 the Operator responded to the Division's Adequacy Review No. 2 dated February 22, 2021. After review of the responses the Division has additional items that need to be addressed or clarified. If you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application. Subsequent to receipt and review of the Operator's response to these items the Division may identify additional adequacy items. Please respond to this Adequacy Review No. 3 with the requested additional/updated information on permit replacement pages and summarize each response in a cover letter titled "Adequacy Review No. 3 Response; M-1986-015".

EXHIBIT B – Index Map (Rule 6.4.2)

1. Please provide an updated Index Map that depicts the current approved permit boundary along with acreage. The map provided does not reflect all the acreage that was added to the permit in AM-01 to the southeast.



EXHIBIT C – Pre-mining and Mining Plan Map(s) of Affected Lands (Rule 6.4.3)

2. Please update the Pre-Mining Plan Map/Current Conditions Map will need to reflect the entire permit boundary per question #1 above. If needed additional sheets can be used to show more detail. All maps must meet the minimum requirements of Rules 6.2.1(2), 6.4.3, 6.4.4, and 6.4.6. Including but limited to: date map was prepared, signed by qualified person, and scale no larger than 1 inch = 50 feet and no smaller than 1 inch = 660 feet.

EXHIBIT G – Water Information (Rule 6.4.7):

3. During the pre-operation inspection it was stated that Phase 7 no longer has any lagged depletions. Please provide documentation that there are no longer any lagged depletions associated with Phase 7.
4. Please describe how the currently exposed groundwater in Phase 7 is being augmented, is covered under the current SWSP or other? Additionally, moving forward what is plan for augmentation of exposed groundwater for this phase.
5. Please clarify that the current SWSP covers exposed groundwater for both Phase 1 and Phase 7 or other?
6. Will the current SWSP be renewed in May 2022 and if so what areas will be covered? If not what is the plan to augment exposed groundwater.
7. In the future when the permit is transferred how will exposed groundwater be augmented?
8. Currently the permit is required to submit monthly water level measurements on an annual basis, this commitment can only be modified through a Technical Revision. The successor operator should be aware of this permit stipulation and will be responsible for the reporting requirements.

EXHIBIT L – Reclamation Cost Estimate (Rule 6.4.12):

9. The Division reviewed the updated cost estimate and concurs that the financial warranty be set at \$3,758,100 with approval of this amendment application (AM-05).

Other Permits and Licenses (Rule 6.3.6):

10. Pursuant to Rule 1.6.2(2), please demonstrate that the Operator's response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review. Demonstration shall be in the form of a Certified Mail Receipt, signed affidavit, or other mail tracking receipt.

Please respond to these adequacy issues no later than one week before the decision deadline, to ensure ample time for the Division to complete its review prior to its decision deadline. The decision deadline on this application is April 9, 2021. If additional time is required to respond to these adequacy issues please

submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

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; Division of Reclamation, Mining & Safety

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