



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

1313 Sherman Street, Room 215
Denver, CO 80203

August 12, 2021

Weaver Consultants Group
Attn: John C. Briest, P.E.
7340 E. Caley Ave. ste. 110
Centennial, Colorado 80111

**RE: Tower Landfill, DRMS File Number M-2021-054, Division Response to “Is It Mining?”
Questionnaire, No Permit Required**

Dear John C. Briest,

On August 6, 2021, the Division of Reclamation, Mining and Safety (Division) received information for an “Is It Mining” questionnaire regarding a proposed project at the Tower Landfill. Based on the information provided to the Division, Allied Waste Systems of Colorado, LLC. intends to excavate borrow materials from two areas located within the property shown on Drawing 2 submitted with the questionnaire. The excavated material will be used within the Tower Landfill area for operations at the landfill. Also, according to the cover letter the borrow material should not be transported on public roads.

The Mined Land Reclamation Board has requested the Division make determinations as to the need for a Mined Land Reclamation Permit. Based on the information provided in the questionnaire and cover letter, the Division has determined **a permit is not required for the proposed activity from the Division**. Excavated borrow material cannot be used for any other off-site purposes unrelated to the landfill, nor can it be transported on public roads. Any significant deviation from the described activity could result in review and possible reversal of this determination.

If you disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant to Rule 2.5.2(1), the request must be submitted to the Board in writing and be received no later than 10 days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2) (copy enclosed). The next available Board hearing will be held on September 22, 2021. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203.

If you have questions please contact me at (303) 866-3567 extension 8120.

Sincerely,

Jared Ebert
Senior Environmental Protection Specialist

EC: Russ Means, DRMS
estengl@republicservices.com
Patrick Lennberg, DRMS

