



September 1, 2021

J.C. York, P.E.
J&T Consulting, Inc.
305 Denver Avenue, Suite D
Fort Lupton, CO 80621

**Re: J-2 Contracting Co.; DPG Pit; File No. M-2019-028;
Technical Revision No. 1 (TR-01); Second Adequacy Review**

Mr. York,

The Division of Reclamation, Mining and Safety (Division/DRMS) reviewed the contents of the adequacy response received on August 27, 2021 for technical revision no. 1 (TR-01) for the DPG Pit and submits the following comments. The Division is required to make an approval or denial decision no later than September 20, 2021 therefore; a response to the following adequacy review concerns should be submitted to the Division as soon as possible.

1. The Operator's response is adequate.
2. The Operator stated in response to the item, the maps have been updated so the acreages match. Please update the revised Mining Plan acreages in Exhibit D and Exhibit E – Reclamation – Approximate Time Table.
3. The Operator's response is adequate.
4. The Operator's response is adequate.
5. The Operator's response is adequate.
6. The Operator's response is adequate.
7. The Operator's response is adequate.
8. The Operator stated in response to the item, the existing financial warranty (\$984,566.00) covers the Phase 1 mining and disturbed areas by more than what is calculated in the attached Exhibit L – Reclamation Costs (\$588,469.00 for the revised Phase 1). Please state if the Operator intends to submit an associated surety reduction with the technical revision.



9. The Operator's response is adequate.
10. The Operator's response is adequate.
11. The Galloway & Company, Inc. response memorandum titled "Response to Technical Revision No. 1 (TR-01); Hydraulic Analysis Report Review Memo Dated July 19, 2021 by Division of Reclamation, Mining and Safety" is under review by the Division. An additional adequacy letter for the report will be issued by the Division under separate cover, if required.
12. The Division reviewed and accepts the revised Case 3 and Case 4 geotechnical stability analysis.
13. The Operator's response is adequate.
14. The Operator's response is adequate.
15. The Operator's response is adequate and the permit commitment is considered resolved by the Division.
16. The Operator stated in response to the item, the approved (SWMP) permit from CDPHE is included in the attachments. The Division did not receive a copy of the approved permit in the adequacy response submittal. Please provide a copy of the approved SWMP from CDPHE for the Division's file.
17. The Operator's response is adequate and the permit commitment is considered resolved by the Division.
18. The Operator's response is adequate and the permit commitment is considered resolved by the Division.
19. No response was required from the Operator.
20. The Operator's response is adequate and the permit commitment is considered resolved by the Division.
21. The Operator's response is adequate and the permit commitment is considered resolved by the Division.
22. The Operator's response is adequate and the permit commitment is considered resolved by the Division.

Please be advised the technical revision for the DPG Pit may be deemed inadequate and the revision may be denied on September 20, 2021, unless the above mentioned adequacy review item is addressed to the satisfaction of the Division.

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; Division of Reclamation, Mining & Safety
Chris Leone; J-2 Contracting Co.