



SpencerFane®

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September 30, 2021

Colorado Mined Land Reclamation Board
1313 Sherman Street
Room 318
Denver, CO 80203

Re: Aggregate Industries – Morrison Quarry Permit M1973-021 – 112 Construction Materials Permit Amendment Application - AM07 – Request for Extension of Decision Date

Dear Board Members,

Spencer Fane LLP represents Aggregate Industries WCR, Inc. (“Aggregate”) regarding its Morrison Quarry Permit M1973-021 - 112 Construction Materials Permit Amendment Application - AM07 (the “Application”). For the reasons discussed below, Aggregate respectfully requests an extension of the Application decision date to ninety (90) days beyond the date which is three hundred sixty-five (365) days from the date the Application was filed with the Colorado Division of Reclamation, Mining and Safety (“DRMS”).

The Application was determined complete for review by DRMS on November 13, 2020. The date which is three hundred sixty-five days from the date the Application was filed with DRMS is November 12, 2021. The first round of DRMS adequacy review comments were received by Aggregate on February 18, 2021 and an initial decision date of April 12, 2021 was established by DRMS. The decision date was subsequently extended to, and currently is, October 15, 2021. Due to the highly technical nature of the Application, Aggregate staff turnover, and the need to replace its geotechnical consultant, Aggregate was unable to respond to the first round of DRMS adequacy review comments until September 3, 2021. On September 17, 2021, DRMS staff provided a second round of adequacy review comments. Aggregate and its new geotechnical consultant have been working diligently with DRMS staff regarding the second round adequacy review comments. Aggregate anticipates submitting its responses no later than October 8, 2021.

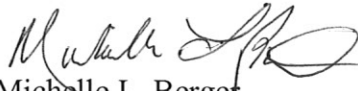
Aggregate is committed to working with DRMS to resolve all remaining adequacy review comments in a timely manner and hopes to do so prior to November 12, 2021. However, due to the complex nature of the geotechnical stability issues in the Application and the timing of the

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Board's hearings, Aggregate is requesting an extension of the Application decision date to February 10, 2022 to ensure all comments are resolved and the Application can be approved.

If you have any questions regarding this request, please don't hesitate to contact me.

Very truly yours,
SPENCER FANE LLP


Michelle L. Berger

Cc: Chance Allen, General Manager, Aggregate Industries – WCR, Inc.
Jeremy Pritchett, Land and Environment Manager, Aggregate Industries – WCR, Inc.