

December 6, 2021

Gary Slifka
Union Milling Contractors
P.O. Box 620490
Littleton, CO 80162-0490



1313 Sherman Street, Room 215
Denver, CO 80203

RE: Arkansas Valley Slag (AVS), File # M-2021-058 , 112c Application Adequacy Review (01)

Mr. Slifka:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced application in order to ensure that it adequately satisfies the requirements of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before the application can be considered for approval.

1. On page 1 of the application form it states that the permitted acreage will be 56 acres. Rule 6.4.1 (1) requires that Exhibit A - Legal Description identify the affected land, specifying the affected areas. In your Exhibit A (Section 6.4.1), the legal description describes a parcel containing 92.2 acres. Please clarify and describe the actual affected area proposed in this application.
2. Rule 6.4.3 (d) requires that the Exhibit C - Mine Plan Map(s) show the total area to be involved in the operation, including the area to be mined and the area of affected lands. On page 1 of the application form it states that the permitted acreage will be 56 acres. In your Exhibit C (Section 6.4.3) several maps show a permit area of 56 acres, while others (Figures 4-10, 4-14) state the permit area is 92.2 acres. Please clarify the affected area and correct maps as necessary.
3. The operation proposes to remove existing stockpiles of slag from the site. Please clarify the type of processing that might occur. Will crushing occur?
4. Please submit acid-base accounting analysis for the slag material in order to show the acid generating potential of the slag.
5. Please submit geochemical characterization data for the slag material, including whole rock analysis and leachability test data.
6. Documentation submitted with your application shows that the EPA accepted "No Action" remedy for site remediation contains a contingency for "...future utilization of



the slag, if it is encapsulated prior to its use or reuse.” Please inform the Division of how CJK will ensure the slag is encapsulated prior to use once it is sold and removed from the site.

7. Please inform the Division of whether the Operator will need EPA or CDPHE authorization to remove slag from the site. If not, please provide the basis for that determination.
8. In Appendix 6-3, Noxious Weed Plan, you have submitted a noxious weed management plan for the Penn Mine. Please submit a weed management plan specific to this site.
9. The Exhibit F –Reclamation Plan Map submitted shows a proposed permit area of 92.2 acres. Please correct the affected area acreage shown on the map so that it is consistent with the rest of the application.
10. In Appendix 14-2 APEN Calculations it is stated that 400 tons per day of slag will be transported to the Leadville Mill for processing. The mine plan submitted with this application contains no discussion regarding transport to and processing at the Leadville Mill. Additionally, the Leadville Mill permit contains no discussion or authorization for processing of the slag material. Please clarify the processing that is proposed to occur at the AVS site.
11. Your application includes structure agreements that are not executed by the structure owners. Please provide the fully executed structure agreements for structures located within 200 feet of the affected area:

Please submit your response(s) to the above listed issue(s) by Friday, December 31, 2021 in order to allow the Division sufficient time for review.

The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please contact me.

Sincerely,



Dustin Czapla

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