



STATE OF
COLORADO

Zuber - DNR, Rob <rob.zuber@state.co.us>

Bennett's Gravel Pit, TR5, DRMS adequacy

1 message

Zuber - DNR, Rob <rob.zuber@state.co.us>

Mon, Dec 20, 2021 at 2:08 PM

To: Jim Doody <Jim.Doody@peakreadymix.com>

Cc: Ben Langenfeld <benl@lewicki.biz>, Michael Cunningham - DNR <michaela.cunningham@state.co.us>

Hello, Jim

Per our phone conversation today, I am sending you a preliminary adequacy letter for TR-05. It is attached. Please share this with Jon Mueller.

Regards,
Rob

Rob Zuber, P.E.
Environmental Protection Specialist
Active Mines Regulatory Program



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

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Bennetts_Gravel_TR5__DRMS_Adequacy_Letter.pdf
292K



December 20, 2021

Jim Doody and Jon Mueller
Elam Construction, Inc.
556 Struthers Ave.
Grand Junction, CO 81501

Re: Bennett's Gravel Pit, Permit M-1979-166, TR-05 Preliminary Adequacy Review

Dear Sirs:

The Division began reviewing your Technical Revision No. 5 (TR-05) application, and we realized that this application needs to be in the format of an amendment, rather than a technical revision. The reason for this: the application proposes expansion of the mine into an area that is not designated for future disturbance. The area in question is the northeast area known as "Irrigated Pasture Area" on Exhibit F, Reclamation Plan Map. In the table on the map, that area is designated as 3.6 acres of no disturbance. Also in the permit files, this area is given the designation "No Disturbance" on Exhibit C from CN-01 (1997). Per Rule 1.1(6), an increase in affected or disturbed area must be an amendment. Please contact me if there is another explanation, and, in your opinion, the pasture is not designated as undisturbed.

I believe that we have two options:

1. Elam Construction can formally withdraw TR-05 (with a letter addressed to me), and then you can "re-package" the submittal as an amendment. The Division would refund your fee for the TR.
2. You can revise the TR-05 application (with a formal response to this letter), and just include the revised mining plan and map, including the road next to the river (the subject of the corrective action from my inspection in August 2021). If applicable, other portions of the permit should be revised also (e.g., the reclamation plan map).

If you want to discuss these options or other options, or if you have any additional questions, please contact me at Rob.Zuber@state.co.us or by calling (720) 601-2276.

Thank you,

Robert D. Zuber, P.E.
Environmental Protection Specialist II

Cc: Michael Cunningham, DRMS; Ben Langenfeld, Lewicki & Associates

