



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

December 21, 2021

Gary Linden, P.E.
Civil Resources, LLC.
8308 Colorado Blvd., Suite 200
Firestone, CO 80504

**Re: Adequacy Review No.3, 112c Construction Materials Amendment Application (AM-2)
Tucson South Resource, Permit No. M-2004-044**

Mr. Linden:

On September 27, 2021, the Division of Reclamation, Mining and Safety (Division/DRMS) deemed the above referenced application complete for the purposes of filing. Pursuant to Rule 1.4 the 90-day decision date for the application was set for December 27, 2021.

On December 16, 2021 the Operator responded to the Division's Adequacy Review No. 2 dated December 10, 2021. After review of the responses the Division has additional items that need to be addressed or clarified.

The following items will need to be addressed to the Division's satisfaction prior to the decision date. If you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this application. Subsequent to receipt and review of the Applicant/Operator's response to these items the Division may identify additional adequacy items. Please respond to this Adequacy Review No. 3 with the requested additional/updated information and summarize each response in a cover letter titled "Adequacy Response No. 3; M-2004-044".

EXHIBIT L – Reclamation Costs (Rule 6.4.12):

1. The Division has conducted a reclamation cost estimate based on the information in Exhibit L. This summary estimate is enclosed for your review. The estimated reclamation liability at the site based on the worst case scenario presented is \$834,000. Please indicate if you concur with the Division's estimate.



Mined Land Reclamation Board Conditions of Approval:

2. The Colorado Mined Land Reclamation Board (“Board”) conditionally approved the original permit application for the permit number M-2004-044 for the Tucson South Resource site with five conditions. During AM-1 three of the five conditions were complied with. The following are the two conditions were outstanding:
 - Condition No. 1 – If final specifications for construction of the slurry walls differ from the draft specifications, Aggregate Industries will provide DMG (DRMS) a copy of the final version for review, as a technical revision.

The Division acknowledges the slurry wall specifications were submitted during AM-2. The Division considers this condition complied with at this time.

 - Condition No. 2 – Aggregate Industries' mining operation will not intersect ground water in Phases 2, 3, and 3A (currently known as the East and West Cells) until the DMG (DRMS) has reviewed and accepted the final slurry wall construction report, including quality assurance test results. Please reaffirm a commitment to abiding by this outstanding condition.

Other:

3. Pursuant to Rule 1.6.2(2), please demonstrate that the applicant’s response to these adequacy issues and the Preliminary Adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review

Please respond to these adequacy issues before the decision deadline. The decision deadline on this application is December 27, 2021. If additional time is required to respond to these adequacy issues please submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg

Environmental Protection Specialist

Enclosure: Reclamation Cost Summary

cc: Jared Ebert; Division of Reclamation, Mining & Safety

ec: Gary Linden, P.E., Civil Resources, LLC., gary@civilresources.com

Enclosure

COST SUMMARY WORK

Task description: Reclamation Cost Estimate

Site: Tucson South Resource

Permit Action: AM-2

Permit/Job#: M2004044

PROJECT IDENTIFICATION

Task #: 000

State: Colorado

Abbreviation: None

Date: 12/10/2021

County: Adams

Filename: M044-000

User: JPL

Agency or organization name: DRMS

TASK LIST (DIRECT COSTS)

Task	Description	Form Used	Fleet Size	Task Hours	Cost
001	Backfill remaining East Cell mining face and slide slopes	LOADER	2	78.41	\$41,234
002	Rough grade disturbed area in East Cell (85' x 2300')	GRADER	1	1.95	\$361
003	Replace topsoil on backfilled mining cell area above HWL	SCRAPER1	1	45.69	\$70,483
004	Final grade East Cell (85' x 2300') + (800'+100')	GRADER	1	2.76	\$509
005	Replace topsoil on internal haul roads and main site ent.	SCRAPER1	1	1.82	\$2,805
006	Replace topsoil on conveyor route	SCRAPER1	1	9.54	\$14,716
007	Replace topsoil on stockpile areas	SCRAPER1	1	3.03	\$4,674
008	Scarify internal haul roads and conveyor route	GRADER	1	3.62	\$668
009	Final grade all miscellaneous areas (8.3 acres x .5')	GRADER	1	3.62	\$650
010	East Slurry Wall Contingency	NA	1	0.00	\$145,800
011	Remove Tucson St Crossing	NA	1	0.00	\$41,954
012	Remove 168th Crossing	NA	1	0.00	\$37,004
013	Remove WCR 23.75 Crossing	NA	1	0.00	\$21,816
014	Remove Aurora Crossing	NA	1	0.00	\$15,000
015	Remove Struck Crossing	NA	1	0.00	\$15,000
016	Remove Remaining Conveyor	DEMOLISH	1	80.00	\$112,767
017	Revegetation of Affected Land	REVEGE	1	80.00	\$122,162
018	Mobilization	MOBILIZE	1	8.76	\$34,188
<u>SUBTOTALS:</u>				319.2	\$681,792

INDIRECT COSTS

OVERHEAD AND PROFIT:

Liability insurance: 2.02

Performance bond: 1.05

Job superintendent: 159.60

Profit: 10.00

Total = \$13,772

Total = \$7,159

Total = \$11,496

Total = \$68,179

TOTAL O & P = \$100,606

CONTRACT AMOUNT (direct + O & P) = \$782,398

LEGAL - ENGINEERING - PROJECT MANAGEMENT:

Financial warranty processing (legal/related costs): \$500

Total = \$500

Engineering work and/or contract/bid preparation:	<u>2.00</u>	Total =	<u>\$15,648</u>
Reclamation management and/or administration:	<u>1.91</u>		<u>\$14,944</u>
CONTINGENCY:	3.00	Total =	<u>\$20,454</u>
		TOTAL INDIRECT COST =	<u>\$152,152</u>
		TOTAL BOND AMOUNT (direct + indirect) =	<u>\$833,944</u>