



February 16, 2022

Brian Wells
Dirt Merchant, Inc.
638 1800 Road
Delta, CO 81416

RE: Wells Pit, M-2006-027, Amendment No. 1 (AM-1) Preliminary Adequacy Review

Dear Mr. Wells,

The Division received the AM-1 application and proposed revised materials on February 7, 2022. The application was deemed complete on February 10, 2022. The Division has completed reviewing the proposed revised materials and has the following adequacy items;

Rule 1.10(2) – Amendment to a Permit

1. The amendment application does not include any information stating that any exhibits other than Exhibit D and Exhibit E are proposed to be revised. Please provide a statement and/or checklist of each exhibit in the currently approved M-2006-027 permit that will not be revised under this amendment application.

Rule 6.2.1(2)(a)-(e) – General Requirements of exhibits and Rule 6.3.5(3)(a)-(e) Reclamation Plan Map

2. Rule 6.2.1(2) outlines the general requirements of what an exhibit needs to include. Exhibit E will need to have the name of the applicant on it. The map must be prepared and signed by a registered land surveyor, professional engineer or other qualified person. The date the map was prepared must be included. Identify the permit boundary, and outline the area that corresponds with the application. The map scale shall not be larger than 1 inch = 50 feet, or smaller than 1 inch = 660 feet. The map must include; the map scale, appropriate legend, map title, date and north arrow.
3. Rule 6.3.5(3) outlines specific details that will need to be included in Exhibit E. The map will need to show the gradient of all reclaimed slopes (horizontal: vertical) sufficient to describe the post mining topography. Please indicate where vegetation will not be established and the general area(s) for shrub or tree planting. If ponds are a part of the reclamation plan, outline the final configuration of the ponds and shallow areas if the future land use is wildlife. The average thickness of replaced overburden by reclamation area or phase and the average thickness of replaced topsoil by reclamation area or phase must be included.



Rule 6.3.4 – Reclamation Plan Exhibit D

4. The Reclamation plan submitted in with the revised exhibits does not include any of the information in the existing approved reclamation plan. Please submit a revised Exhibit D to reflect the portions of the existing reclamation plan that will remain in place, as well as, the new proposed portions of the plan. Please ensure that the revised reclamation plan satisfies all requirements under Rule 6.3.4.

This concludes the Division's preliminary adequacy review of the AM-1 application. The Decision date is currently set for March 14, 2022. Please submit all adequacy responses to the division no later than March 7, 2022. If you have any questions or concerns, please contact me at clayton.wein@state.co.us or by phone (303)-866-3567 x8185.

Sincerely,

A handwritten signature in black ink that reads "Clayton Wein". The signature is written in a cursive, slightly slanted style.

Clayton Wein
Environmental Protection Specialist

cc: Travis Marshall, Senior Environmental Protection Specialist