



March 11, 2022

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

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

Dear Mr. Wells,

The Division received the responses to the Preliminary Adequacy Review for the AM-1 application on March 6, 2022. The Division has completed reviewing the adequacy responses and proposed revised materials, and has the following adequacy items;

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

1. **Rule 6.2.1(2)** outlines the general requirements of what an exhibit needs to include. **The provided hand drawn map is insufficient and does not meet Rule 6.2.1(2). The map must be prepared and signed by a registered land surveyor or professional engineer or other qualified individual.** Exhibit E will need to have the name of the applicant on it. 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 and north arrow.
2. **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. 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**

3. **The Reclamation plan submitted with the adequacy responses does not include any of the information in the existing approved reclamation plan.** If portions of the currently approved plan are no longer going to be needed with the new reclamation plan, please include a statement in the new reclamation plan stating that the original reclamation plan will not be utilized and the new one will replace it. Please submit a revised Exhibit D including the requested information. Please ensure that the revised reclamation plan satisfies all requirements under Rule 6.3.4.

This concludes the Division's second adequacy review of the AM-1 application. If you have any questions or concerns, please contact me at [clayton.wein@state.co.us](mailto: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