



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

April 28, 2022

Fred Charles
Tetra Tech, Inc.
351 Coffman Street, Suite 200
Longmont, CO 80501

**Re: Incompleteness Notice, 110c Construction Materials New Permit Application
Wattenberg Disturbance Reclamation, Permit No. M-2022-021**

Mr. Charles:

On April 25, 2022, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 110 Construction Materials New Permit Application for the Wattenberg Disturbance Reclamation, File No. M-2022-021. Preliminary review of this application determined the following items must be received before the Division can consider the application as being submitted/filed and the technical review can begin. Please respond to this Incompleteness Notice with the requested additional/updated information on permit application replacement pages and summarize each response in a cover letter titled "Incompleteness Response; M-2022-021".

APPLICATION FORM:

1. Incidental commodity(ies) to be mined. Question 5.1 was left blank, please fill in the missing information.
2. Location information. The quarter/quarter section was left blank, please check the appropriate box.
3. Responsibilities. Question #10, on page five, is initialed, the question does not require initials. Please indicate "N/A" for the question.
4. Certification. A review of the Colorado Secretary of State website indicates the applicant is a corporation. Please provide the corporate seal on page seven of the application form, if the corporation does not have a seal please indicate "No Seal". Additionally, please have the corporate secretary sign where indicated.
5. Certification. The notary signature is incomplete. The name of the operator needs to match with the operator name above, "Aggregate Industries – WCR, Inc." vs "Aggregate Industries – WCR".

EXHIBIT R – Proof of Filing with County Clerk and Recorder (Rule 6.4.18):



6. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant's response to these incompleteness issues have been placed with the application materials previously placed with the County Clerks or Records Offices, and made available for public review.

Your new permit application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt and acceptance of all of the requested information. Additionally, if you have already published notice you will need to republish notice, but only after the Division considers the application complete and filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once, starting ten (10) days of the date your application is considered filed. The final date for receiving comments is the tenth (10th) day after the publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division may deny the application and terminate the application file. Should additional time be required to submit all the necessary documents an extension request can be submitted in writing for the Division's consideration.

The response to this Incompleteness Notice is due on or before June 27, 2022.

This letter shall not be interpreted to mean that there are no other completeness issues or technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

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,

A handwritten signature in blue ink, appearing to read "Patrick Lennberg".

Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert, DRMS

ec: Fred Charles, Tetra Tech, Inc., fred.charles@tetrattech.com