



July 7, 2022

**RE: Extension to Due Date for Required Corrective Action, R.M. Hiner Construction Co,
Greeley Pit, Permit M-1977-151**

Mr./Mrs. Hiner:

Per our prior phone and email correspondence, I am extending the due date for the remaining corrective action requirement from the March 2022 Inspection for the Greeley Pit to July 31, 2022.

Recent email received from Mr. Hiner stated that the sale of property containing the existing lake portion of the permit area and/or transfer of the existing permit was not being pursued further at this time. Therefore, you will need to refocus your efforts to address the questions presented in the last inspection report which identifies a deficiency of existing water shares available to provide permanent augmentation of the existing exposed groundwater area at the site.

This information will need to be provided to the Division as a Technical Revision to the Reclamation Plan by no later than July 31, 2022 unless good cause is shown by the permittee for the Division to provide an additional extension. The Technical Revision to the Reclamation Plan should address at a minimum:

- 1) What is the shortfall of water shares currently available for the required permanent augmentation plan for the existing post 1981 exposed groundwater area at the site?
- 2) How many acres of post 1981 exposed groundwater area will need to be backfilled so that a permanent augmentation plan for the site utilizing currently owned shares could be submitted for SEO approval?
- 3) Where will this backfilled acreage be located within the areas of currently exposed groundwater? DRMS would encourage the permittee to be mindful of retaining all available pre-1981 groundwater exposure area, as well as the reclamation requirement to slope all shorelines to 3:1 (Horizontal: Vertical) or flatter when determining where backfill will take place. A map should be provided with the revision to show the areas proposed to be backfilled, as well as areas of pre 1981 groundwater exposure.
- 4) How many Cubic Yards (CY) of material will be required to backfill the proposed areas to two feet above static water level, where will it be brought from, and where will it be



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staged on-site (if needed) prior to placement? If costs are available to obtain and place the required backfill, those should be provided to DRMS for possible use in subsequent bond calculations.

- 5) What is the proposed timeframe for completing the required backfill to eliminate the excess post '81 groundwater exposure at the site?

This required information will be used by the Division to calculate a surety/bond increase to eliminate the existing liability at the site for post 1981 exposed groundwater in accordance with 2010 DRMS guidance. The required surety increase will be due within 60 days of the surety increase notice letter.

In the future, bond reductions may be requested by the permittee when required backfill of the exposed groundwater area(s) is completed, and/or when additional water rights have been secured by the permittee which would reduce the area of required backfill.

DRMS has recently received the Acreage Reduction Request for the 58.3 acres of unaffected areas of the permit, and will proceed with this revision in accordance with DRMS process.

Sincerely,



Eric Scott

Environmental Protection Specialist

Ec:

Michael Cunningham, DRMS at: Michaela.cunningham@state.co.us