



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

August 18, 2022

Phillip Courtney
Martin Marietta Materials Inc.
1627 Cole Boulevard, Suite 200
Lakewood CO 80401

Re: Second Adequacy Review of a 112 Construction Materials Reclamation Permit Amendment Application AM04, Martin Marietta Materials – Specification Aggregates Quarry, Permit M1974-004

Mr Courtney:

The Division of Reclamation, Mining, and Safety has completed its second adequacy review of your 112 construction materials reclamation permit amendment application. The application was called complete for review on April 26, 2022. All comment and review periods began on April 26, 2022. **The decision date for this application is August 25, 2022. Please be advised that 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 will deny this application.**

Please note that any changes or additions to the application on file in our office must also be reflected in the public review copy, which has been placed with the Jefferson County Clerk and Recorder.

The review consisted of comparing the application content with specific requirements of Rule 6.1, 6.2, 6.4 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. As with most applications, there are items that will require clarification of the existing information. This letter summarizes the requirements for all exhibits, and any comments and/or inadequacies are identified under the respective exhibit heading.

EXHIBIT E - Reclamation Plan (Rule 6.4.5):

The final in-lake slopes proposed are steeper, in some parts significantly, than what is required by Rule 3.1.5(7) which states: "... In all cases where a lake or pond is produced as a portion of the Reclamation Plan, all slopes, unless otherwise approved by the Board or Office, shall be no steeper than a ratio of 2:1 (horizontal to vertical ratio), except from 5 feet above to 10 feet below the expected water line where slopes shall be not steeper than 3:1. If a swimming area is proposed as a portion of the Reclamation



Plan, the slope, unless otherwise approved by the Board or Office, shall be no steeper than 5:1 throughout the area proposed for swimming, and a slope no steeper than 2:1 elsewhere in the pond.”

DRMS acknowledges that many final reclamation slopes, as well as slopes more than 10 feet below water level, within the proposed reservoir may be steeper than 2H:1V (up to the proposed maximum of 0.5H:1V within the reservoir if the geotechnical data supports this as a stable configuration). However, Rule 3.1.5(7) requires that from 5 feet above to 10 feet below the expected water level slopes shall not be steeper than 3H:1V. Please modify the mining and reclamation plans and associated maps as needed to comply with this requirement.

EXHIBIT L - Reclamation Costs (Rule 6.4.12): All information necessary to calculate the costs of reclamation must be submitted and broken down into the various major phases of reclamation. You must provide sufficient information to calculate the cost of reclamation that would be incurred by the state.

On August 11, 2022 DRMS met with Mr. Courtney of Martin Marietta. This primary focus of this meeting was to discuss the scope of the required site reclamation cost estimate for AM04, as well as how reclamation tasks and costs may best be broken down in a “task by area” approach for all affected areas of the permit and provided to DRMS so that the state’s cost may be calculated utilizing the CIRCES software. It was determined that in order for reclamation costs to be accurately estimated for this permit, MMM would need to provide a revised and comprehensive reclamation estimate for the site.

The revised estimate should provide a list of existing and proposed reclamation items for each area of the permit that will need to be addressed for final reclamation. These items should correlate with a detailed description of each reclamation task/item and what will be required for each reclamation task/item (such as: identification of portable equipment for removal from site, removal of fixed features such as retaining walls, demolition and removal of existing structures such as buildings and scales, dozing and grading various process areas to final grade, replacement of overburden and topsoil, ripping reclaimed roads, acres of final revegetation, etc.). All tasks and areas should be correlated to a reclamation task map or maps, and the reclamation plan modified if needed to fully address and describe the final site configuration proposed.

6.5 GEOTECHNICAL STABILITY EXHIBIT

DRMS is still reviewing the responses provided for the geotechnical stability section of the initial adequacy response. Any remaining geotechnical stability or blast monitoring issues will be identified in a subsequent adequacy letter to MMM.

This concludes the Division's second adequacy review of this application. This letter shall not be construed to mean that there are no other technical deficiencies in your application. Other issues may arise as additional information is supplied. Please remember that the decision date for this amendment application is August 25, 2022. As previously mentioned, if you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this application. If there are still unresolved issues when the decision date arrives and no extension has been requested, the application will be denied. If you have any questions, please contact me at (303) 229-9414.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Scott".

Eric Scott – Environmental Protection Specialist

CC:

Enclosures: