



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

August 29, 2022

Raul Vasquez
Blue Mountain Stone, Inc.
4168 Ute Hwy.
Longmont, CO 80503

**Re: Incompleteness Notice No. 2, Conversion Application (CN-1), Phillips Stone Company,
Permit No. M-1981-075**

Mr. Vasquez:

On August 24, 2022 the Division of Reclamation, Mining and Safety (DRMS/Division) received your response to the Division's Incompleteness Notice dated June 28, 2022 for the Conversion Application for the Phillips Stone Company, File No. M-1981-075. Review of the submitted responses 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 No. 2. Please note where multiple items need additional/updated information that occur on the same page only one page needs to be submitted with the requested information not multiple copies of the same page.

APPLICATION FORM:

1. Primary commodity(ies) to be mined. On page one, question 5.3, anticipated end use of incidental commodities to be mined was left blank. If no incidental commodities will be mined, please indicate "N/A" on the associated line on 5.3. Please submit a replacement page one of the application form.
2. Primary commodity(ies) to be mined. On page one, question 5.2, the anticipated end use of primary commodity(ies) to be mined was incorrectly filled out. Please indicate what the sandstone material mined at the site will be used for, i.e. construction, landscaping, and decorative use. Please submit a replacement page one of the application form.
3. Location Information. On page two, item 9, the quarter/quarter section was left blank, please check the appropriate box. Please submit a replacement page two of the application form.
4. Primary Mine Entrance Location. On page two, item 10, the provided the coordinates of the primary mine entrance location are not accurate, see attached map. On the map the Division has identified two locations that could possibly be used as primary mine entrance. While both roads maybe used to enter the mine one location needs to be identified as the primary mine entrance and those coordinates given for item 10. Please update the coordinates and submit a replacement page two of



the application form. The coordinates for No. 1 are Lat. 40.254137°, Long. -105.255702° and for No. 2 are Lat. 40.255129°, Long. -105.256951°.

5. Responsibilities. On page six, question 10, is left blank, the question does not require initials unless the permit is a joint venture or partnership operation. Please indicate "N/A" for the question. Please submit a replacement page six of the application form.

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 Recorders Offices, and made available for public review.

ADDENDUM 1 – Notice Requirement (Rule 1.6.2(1)(b)):

7. The provided notice affidavit is incorrect. The notice provided is the notice template to be used for publication in the newspaper of local circulation along with being mailed to the adjacent landowners. This notice can only be completed after the application is deemed complete and technical review can begin. You will have to re-send a corrected notice once the application is deemed complete. Attached to this letter is template that can be completed and posted at the mine. Please include the date on which the notices were posted at the mine site, as required by the Office, of sufficient size of a minimum size of sixteen (16) inches high by twelve (12) inches wide, with font sufficient to be readable at a reasonable distance, and number to clearly identify the site as the location of a proposed mining operation giving name, address, and phone number of the applicant or company name, and stating that (name of applicant or company name) has applied for a mining permit with the Colorado Mined Land Reclamation Board. It is recommended to include photo documentation of sign placement.

Your Conversion 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 90 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 a week for four (4) consecutive weeks, starting ten (10) days of the date your application is considered filed. The final date for receiving comments is the twentieth (20th) day after the fourth 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 October 28, 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 by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert, DRMS

Attachments - 1. Possible Primary Mine Entrance Locations
 2. Notice to be Placed at Mine Entrance

ec: Raul Vasquez, Blue Mountain Stone, Inc., bluemtystone@gmail.com

Attachment 1

Possible Primary Mine Entrance Locations







Phillips Stone Company, M1981-075
Aerial Image June 2021

Possible Primary Mine Entrance #2

CN-1 Coordinates Given

Possible Mine Primary Mine Entrance #1

Legend

-  CN-1 Coordinates Given
-  M1981-075_N-DisturbedArea= 3.6 ac
-  M1981-075_Permit-Area= 9.9ac
-  M1981-075_S-DisturbedArea= 3.75 ac
-  Possible Mine Entrance #1
-  Possible Mine Entrance #2

Attachment 2

proposed mining operation. The following is a sample of the Notice required for Rule 1.6.2(1)(b) that you may wish to use.

NOTICE

This site is the location of a proposed construction materials operation. (Name of the Applicant/Operator) _____, whose address and phone number is (Address and Phone Number of the Applicant/Operator) _____, has applied for a Reclamation Permit with the Colorado Mined Land Reclamation Board. Anyone wishing to comment on the application may view the application at the (County Name) _____ County Clerk and Recorder's Office, (Clerk and Recorder's Office Address) _____, and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining, and Safety, 1313 Sherman St, Room 215, Denver, Colorado 80203.

Certification:

I, _____, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the (Name of Operation) _____, on (Date Posted) _____, .

SIGNATURE

DATE