



8120 Gage Street – Frederick, Co 80516

Bus: (303) 666-6657 - Fax: (303) 666-6743

June 7, 2022

Colorado Department of Public Health and Environment

Water Quality Control Division, WQCD-P-B2

4300 Cherry Creek Drive South

Denver, CO 80246

Re: Stormwater Application for COG500000

Attached you will find a stormwater application for Raptor Materials, LLC formerly Varra Companies, Inc.

Please note that Raptor Materials LLC, took over all permit formerly under Varra Companies, Inc as May 20,2022.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

Tana Kersting

303-447-2084/720-474-1563

tkersting@raptormaterialsllc.com



**APPLICATION FOR CDPS GENERAL PERMIT COG500000
DISCHARGES FROM SAND AND GRAVEL MINING AND PROCESSING**

Please print or type.

The application must be submitted to the Water Quality Control Division at least **60 days** prior to the anticipated date of discharge, and must be considered complete by the division before the review and approval process begins. The division will notify the applicant if additional information is needed to complete the application. If more space is required to answer any question, please attach additional sheets to the application form. Applications must be submitted by mail or hand delivered to:

**Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530**

**TEMPORARY COVID19 Submission - Digitally signed documents may be emailed to
cdphe.wqrecordscenter@state.co.us**

Do not follow up with a mailed-in hard copy. The directions for electronic signatures can be found at this [FAQ](#) at question 41.

A. PERMIT INFORMATION

Reason for Application:

☒ NEW CERT

☐ RENEW CERT

EXISTING CERT # _____

Applicant is:

☐ Property Owner

☐ Contractor/Operator

The applicant requests authorization for the following discharge type(s).

- ☒ **Mine (pit) dewatering:** includes any water, such as groundwater, seepage, and stormwater (precipitation and surface runoff), that is impounded or that collects in the mine pit (surface or underground workings) and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. In addition, for construction sand and gravel facilities and industrial sand facilities only, mine dewatering includes wet pit overflow caused solely by direct rainfall and/or groundwater seepage;
- ☐ **Process generated wastewater:** includes any wastewater used in slurry transport of mined materials, air emissions control, and processing exclusive to mining.
- ☐ **Water used in processing the mined commodity:** includes water from washing, sorting, screening, crushing, classifying, etc.
- ☐ **Stormwater runoff, comingled** with the above listed wastewaters before the discharge point.
- ☐ **Stormwater runoff (not comingled)** with the above listed wastewaters) from facility pollutant sources: includes runoff from stockpiles, disturbed areas, roads, maintenance areas, etc.; asphalt batch plants (SIC code 2951); concrete batch plants (SIC code 3273); or asphalt and concrete recycling activities conducted at the facility.

Note: the following discharge types are not eligible for coverage under CDPS General Permit COG500000:

- Stormwater discharges associated with construction activity that disturbs one acre or more;
- Process water discharges from asphalt batch plants (resulting from the production of asphalt concrete);
- Process water discharges from concrete batch plants, including drum and truck wash water (concrete wash out);
- Stormwater and process water discharges from placer mining industrial activities (SIC Major Group 10).
- Process water discharges from the SIC codes identified in Appendix 1 of this application.

B. CONTACT INFORMATION**1. Permittee Information**Organization Formal Name: Raptor Materials, LLC

Permittee Name: the person authorized to sign and certify the permit application. This person receives all permit correspondences and is responsible for ensuring compliance with the permit.

Responsible Position (Title): Kevin JeakinsCurrently Held By (Person): Vice PresidentTelephone No: 303-666-6657Email address: kjeakins@raptormaterialsllc.comMailing Address: 8120 Gage StreetCity: Frederick State: CO Zip: 80516

This form must be signed by the permittee to be considered complete. **Per Regulation 61, in all cases**, it shall be signed as follows:

- a) In the case of corporations, by a responsible corporate officer. For the purposes of this section, the responsible corporate officer is responsible for the overall operation of the facility from which the discharge described in the application originates.
- b) In the case of a partnership, by a general partner.
- c) In the case of a sole proprietorship, by the proprietor.
- d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

2. **DMR Cognizant Official** (i.e. authorized agent) the person or position authorized to sign and certify reports required by permits including Discharge Monitoring Reports [DMR's], Annual Reports, Compliance Schedule submittals, and other information requested by the division. The division will transmit pre-printed DMR's to this person. If more than one, please add additional pages.

☐ Same as 1) PermitteeResponsible Position (Title): Kevin JeakinsCurrently Held By (Person): Vice PresidentTelephone No: 303-666-6657Email address: kjeakins@raptormaterialsllc.comOrganization: Raptor Materials, LLCMailing Address: 8120 Gage StreetCity: Frederick State: CO Zip: 80516

Per Regulation 61: All reports required by permits, and other information requested by the Division shall be signed by the permittee or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- a) The authorization is made in writing by the permittee
- b) The authorization specifies either an individual or a **position having responsibility for the overall operation of the regulated facility or activity** such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position)
- c) Submitted in writing to the Division

B. CONTACT INFORMATION (cont.)

- 3. Site/Local Contact** (contact for questions relating to the facility & discharge authorized by this permit.)

- Same as 1) Permittee

Responsible Position (Title): Tana Kersting

Currently Held By (Person): EHS assistant

Telephone No: 303-666-6657/303-447-2084

Email address: tkersting@raptormaterialsllc.com

Organization: Raptor Materials, LLC

Mailing Address: 8120 Gage Street

City: Frederick State: CO Zip: 80516

4. **Operator in Responsible Charge** ☐ Same as 1) Permittee ☒ Same as 3) Site/ Local Contact

Responsible Position (Title): Kevin Jeakins

Currently Held By (Person): Vice President

Telephone No: 303-666-6657

Email address: kjeakins@raptormaterialsllc.com

Organization: Raptor Materials, LLC

Mailing Address: 8120 Gage Street

City: Frederick State: CO Zip: 80516

- 5. Billing Contact** ☐ Same as 1) Permittee

Responsible Position (Title): Grace Prebarich

Currently Held By (Person): Billing

Telephone No: 303-666-6657

Email address: gprebarich@varracompanies.com

Organization: Raptor Materials, LLC

Mailing Address: 8120 Gage Street

City: Frederick State: CO Zip: 80516

6. Other Contact Types (check below) Add pages if necessary:

Responsible Position (Title): Tana Kersting

Currently Held By (Person): EHS assistant

Telephone No: 303-666-6657/303-447-2084

Email address: tkersting@raptormaterialsllc.com

Organization: Raptor Materials, LLC

Mailing Address: 8120 Gage Street

City: Frederick State: CO Zip: 80516

- ☐ Environmental Contact
- ☐ Facility Inspection Contact
- ☐ Consultant
- ☐ Compliance Contact
- ☐ Property Owner

■ Other

C. PERMITTED FACILITY INFORMATIONFacility or Project Name Two Rivers Sand, Gravel and Reservoir ProjectStreet Address (or cross streets) 14822 CR 396City Milliken Colorado, Zip Code 80543County Weld**Type of Facility Ownership**

- ☐ City Government ☐ Corporation ☒ Private ☐ Municipal or Water District
☐ State Government ☐ Mixed Ownership _____

Facility or Project Latitude/Longitude – List the latitude and longitude of the center point of the facility.

Latitude: 40 348515 Longitude: -104 774918

(Provide coordinates in decimal degrees to 6 decimal places (e.g., 39.703345°, -104.933567°))

Standard Industrial Classification (SIC) Code(s) for this FACILITY (please use dropdown menu to select up to 4 SIC codes, in order of importance)

Note: see the [SIC codes covered by permit](#) link (general permit COG500000) on the division website for descriptions of SIC codes associated with this permit.1. 1422 2. _____ 3. _____ 4. _____**D. PROJECT DESCRIPTION** - Provide an overview of the industrial activities that are conducted at the facility.

(NEW FACILITY) Extraction of sand, gravel and related earth products stockpiled and processed as construction materials for infrastructure development, reclamation.

E. SITE MAPS AND SCHEMATICS - provide as an attachment to the application - no larger than 11x17 inches

1. **Location Map** - Application must include a location map that shows the location of the project/facility, the boundaries of the area subject to the application, and all receiving water(s). A north arrow must be shown.
2. **Legible Site Sketch** - showing all surface features (buildings, ponds, diversion ditches, stockpiles, processing areas, batch plants, other pollutant sources, etc.); stream location(s); numbered outfalls; and direction(s) of water flow at the facility indicated by arrows (stormwater and process water). Label outfalls to correspond with the numbers listed Table G.1 of this application.

Are the required maps/sketches attached?



Yes

No - Application cannot be processed without required maps**F. SITE-SPECIFIC CONDITIONS** - Nearby Sources of Potential Groundwater Contamination/Facility pollutant sources

Note: The division may require representative analytical data of the effluent (e.g., mine pit water or discharge) as part of the application review process. The division will notify the applicant if any additional information is required. Failure to provide this data may delay permit application processing until such data is submitted to the division.

Note: see Appendix B of [Application Guidance Document](#) (Construction Dewatering - COG070000) on the division website for resources useful in identifying ground water contamination near the facility.

1. Has the applicant reviewed the surrounding area for possible groundwater contamination, such as plumes from leaking underground storage tanks (LUSTs), hazardous waste sites, or additional sources? *Applicants are expected to exercise due diligence in evaluating their sites prior to applying for a discharge permit.*
☐ Yes ☐ No ☒ NA (no water leaves the pit, or stormwater-only discharge)
2. Is an open LUST located within 0.5 mile of the site? ☐ Yes ☒ No
**If yes, BTEX analytical data for the mine pit water or discharge must be included with the permit application. The division may request analytical data for additional parameters. Failure to include this data may delay permit application processing until such data is submitted to the division.*
3. Is a Superfund site or National Priorities List (NPL) site located within 1 mile of the site? ☐ Yes ☒ No
**If yes, analytical data for the mine pit water or discharge, for those parameters associated with the Superfund or NPL facility, must be included with the permit application. Failure to include this data may delay permit application processing until such data is submitted to the division.*
4. Is a UMTRA facility located within 1 mile of the site? ☐ Yes ☒ No
**If yes, analytical data for the mine pit water or discharge, for those parameters associated with the UMTRA facility, must be included with the permit application. Failure to include this data may delay permit application processing until such data is submitted to the division.*
5. Is any other (non-LUST, non-Superfund, non-NPL site) known source of contamination, such as a Voluntary Cleanup (VCUP), Environmental Covenant, open RCRA Corrective Action site, or brownfields site located within 0.5 mile of the site? ☐ Yes ☒ No
**If yes, analytical data for the mine pit water or discharge, for those parameters associated with the known source of contamination, must be included with the permit application. Failure to include this data may delay permit application processing until such data is submitted to the division.*
6. Is the sand and gravel facility within the footprint of an historic landfill? ☐ Yes ☒ No

If Yes for any of questions 1 - 6 above, show location of the source(s) of possible groundwater contamination on the maps required in **Item E** of this application. In the box below, describe the location, extent of contamination, and possible effect on the discharges from this facility.

7. Is concrete truck washout conducted at the facility? ☐ Yes ☒ No

If Yes, please provide the following additional information with respect to this discharge:

- Location of concrete washout water discharge. Check all that apply.

<input type="checkbox"/> to surface water	<input type="checkbox"/> to a lined impoundment or excavation
<input type="checkbox"/> to the ground	<input type="checkbox"/> washout water not discharged - water is reused, or evaporates
<input type="checkbox"/> to an unlined impoundment or excavation	
- What is the proximity of the discharge to a lake, pond, stream/river, intermittent or ephemeral creek, drainage, irrigation ditch, wetland, etc? river
- Is the discharge within the DRMS permit boundary? yes
- What is discharge volume and frequency? continuous and 6.40 MGD

8. Does the facility discharge stormwater runoff from a concrete batch plant? (SIC code 3273) ☐ Yes ☒ No
9. Does the facility discharge stormwater runoff from an asphalt batch plant? (SIC code 2951) ☐ Yes ☐ No
10. Does the facility discharge stormwater runoff from recycled concrete? ☐ Yes ☐ No
11. Does the facility discharge stormwater runoff from recycled asphalt? ☐ Yes ☐ No

G. OUTFALLS

1. For EACH process water or stormwater-only outfall, provide the information identified in the table. Instructions for filling out this table (superscripts 1 -12) are provided in **Attachment 2** of this application. Please copy this page and submit with the application if more than 6 outfalls are required.

Table G. 1

Outfall and Activity information					Discharge information				Receiving water information		
Outfall Number	Latitude Longitude ¹	Activity Description(s) ²	SIC Code ³	Process water or stormwater ⁴	Discharge type ⁵	Continuous or instantaneous flow measure ⁶		Flow rate in MGD ⁸	Chemicals ⁹	Distance from pit to surface water ¹⁰	Immediate ¹¹
						Specific flow method ⁷					
001	40.3432 06/-104. 778490	Water may intercept groundwater, extracted, stockpiled soil/aggregate or access.	1442	process water	pumped	continuous		6.40		100+	South Platte River
002											
003											
004											
005											
006											

2. Are any of the receiving waters identified in the Table G.1 above a storm sewer system, ditch, or manmade conveyance?

☐ Yes ☒ No

Note: if discharge is to a storm sewer system, ditch, or manmade conveyance, approval from the owner of the system must be obtained before discharge.

3. Did the applicant obtain approval from the owner of the storm sewer system, ditch, or manmade conveyance?

☐ Yes ☐ No ☒ NA - discharge is not to a storm sewer system, ditch, or manmade conveyance.

H. CHEMICAL ADDITION/TREATMENT

If chemical additives, settling agents, flocculants, or other materials are proposed for use in or to treat wastewater/stormwater prior to discharge, please submit a **Chemical Approval Form** with this application.

1. Is chemical addition/treatment proposed for this facility?

☐ Yes ☒ No

2. Did applicant submit a **Chemical Approval Form** with this application?

☐ Yes ☒ No - chemical addition/treatment not proposed

I. OTHER ENVIRONMENTAL PERMITS

Does this facility currently hold any environmental permits, or is it subject to regulation, under any of the following programs?

Permit Name	Yes	No	Effective Date	Permit No.
1. Colorado Division of Reclamation, Mining and Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	pending	M2022-013
2. Underground Injection Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
3. Clean Water Act (CWA) Section 404 - US COE	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
4. Resource Conservation and Recovery Act (RCRA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
5. CDPS Stormwater	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
6. Colorado State Air Pollution Emission	<input checked="" type="checkbox"/>	<input type="checkbox"/>	pending/ submitted	
7. Other	<input type="checkbox"/>	<input type="checkbox"/>		

J. ACTIVITY DURATION

When did the activity commence?

pending


What is the estimated life of the activity generating the discharge(s) ?

35+ years.

K. STORMWATER MANAGEMENT PLAN (SWMP) CERTIFICATION - required ONLY for applications requesting stormwater-only outfalls.**The Stormwater Management Plan must be completed prior to signing the following certifications!**


A Stormwater Management Plan (SWMP) shall be prepared prior to applying for stormwater coverage under the general permit, and the following certification signed.

"I certify under penalty of law that a complete Stormwater Management Plan has been prepared for my activity. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the Stormwater Management Plan is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for falsely certifying the completion of said SWMP, including the possibility of fine and imprisonment for knowing violations."

	<u>6-3-22</u>
Signature of Legally Responsible Person or Authorized Agent	Date Signed
Kevin Jeakins	Vice President
Name (printed)	Title

L. REQUIRED CERTIFICATION SIGNATURE [REG 61.4(1)(H)]

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

	<u>6-3-22</u>
Signature of Legally Responsible Person or Authorized Agent	Date Signed
Kevin Jeakins	Vice President
Name (printed)	Title

This form must be signed by the permittee to be considered complete. **Per Regulation 61, in all cases**, it shall be signed as follows:

- In the case of corporations, by a responsible corporate officer. For the purposes of this section, the responsible corporate officer is responsible for the overall operation of the facility from which the discharge described in the application originates.
- In the case of a partnership, by a general partner.
- In the case of a sole proprietorship, by the proprietor.
- In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

DO NOT INCLUDE A COPY OF THE STORMWATER MANAGEMENT PLAN with the application

DO NOT INCLUDE PAYMENT - AN INVOICE WILL BE SENT AFTER THE CERTIFICATION IS ISSUED.

Attachment 1

Process water discharges not eligible for coverage under CDPS General Permit COG500000

Process water discharges from the facilities listed below are excluded from coverage due to the potential toxicity and wide variety of pollutants, the minimal operations in Colorado, or Federal ELGs that require no discharge of process water from these facilities:

Facility types that require no discharge of process water	40 CFR 436 Subpart	SIC Code
Gypsum facilities that do not employ wet air emissions control scrubbers	E	1499
Asphaltic mineral facilities	F	1499
Asbestos and wollastonite facilities	G	1499
Barite facilities that do not employ wet processes or flotation processes	J	1479
Flourspar facilities that do not employ heavy media separation or flotation processes	K	1479
Saline from brine lake facilities	L	2899
Borax facilities	M	1474
Potash facilities	N	1474
Sodium sulfate facilities	O	1474
Phosphate Rock	R	1475
Frasch sulfur facilities	S	1479
Bentonite facilities	V	1459
Magnesite facilities	W	1459
Diatomite facilities	X	1499
Jade facilities	Y	1499
Novaculite facilities	Z	1499
Tripoli facilities	AF	1499
Asphalt batch plants	40 CFR 443	2951
Concrete batch plants, including associated truck and drum wash out	---	3273

Attachment 2

Instructions for completing Table G.1 in Item G of this application (see superscripts 1 -12).

1. **Latitude and longitude:** Provide the latitude and longitude of each outfall location (NOT the center of the facility) in NAD83 format.

The discharge location is the point where effluent sampling will occur. This location must be at a point after treatment and before the effluent joins or is diluted by any other waste stream, body of water, or substance. If the discharge is to a ditch or storm sewer system, include the name of the ultimate receiving waters where the ditch or storm sewer discharges.

Note: facilities that discharge stormwater via sheet flow must identify an outfall at a location along the line of flow that is representative of the facility's sheet flow discharge. This location is where the sheet flow exits the facility, or enters a surface water within the facility, and where samples can be collected, if required.

2. **Activity Description(s):** Briefly describe the activity (or activities) that contribute water to each outfall.

Examples include:

- stormwater runoff from stockpiled gravel;
- construction sand pit dewatering;
- stormwater runoff from an asphalt or concrete batch plant;
- industrial sand wash water;
- stormwater runoff from concrete recycling or asphalt recycling activities;
- stormwater runoff from facility haul roads;
- other (give a description).

If more than one activity contributes water to an outfall, list all activities in the space provided.

3. **SIC code:** Identify the SIC code(s) associated with each activity identified above (the SIC codes covered by permit link (general permit COG500000) on the division website for descriptions of SIC codes associated with this permit). If more than one activity contributes water to an outfall, list all SIC codes for the activities in the space provided.
4. **Process water or stormwater:** Indicate if the discharge water is process water or stormwater. The discharge is considered to be process water if it is described in the bullets below.

Note that the stormwater provisions in the general permit DO NOT apply to process water. Therefore, it is very important that the division understand the contribution(s) to each discharge from the facility to accurately develop the permit certification for the facility. If the permittee identifies that the discharge for all outfalls is solely stormwater and does not comeingle with process water, the division will issue a stormwater-only certification.

Process water includes:

-Mine dewatering, which includes

- any water, including groundwater, seepage, and stormwater (precipitation and surface runoff), that is impounded or that collects in the mine pit (surface or underground workings) and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator;
- additionally, for construction sand and gravel facilities and industrial sand facilities only, wet pit overflow caused solely by direct rainfall and/or groundwater seepage.

-Process generated wastewater, which includes any wastewater used in slurry transport of mined materials, air emissions control, and processing exclusive to mining;

-Any water used in processing the mined commodity such as washing, sorting, screening, crushing, and classifying;

-Stormwater runoff that becomes comingled with the above listed wastewaters before the discharge point.

Examples of comingled discharges considered to be process water under the renewal permit:

- Stormwater runoff from mine haul roads that is directed to and discharges from the mine pit. The resulting discharge is considered **process water**;
- Stormwater runoff from construction activities at the mine facility that is directed to and discharges from the mine pit. The resulting discharge is considered **process water**, and the activity does not require separate construction stormwater permit coverage even if the disturbed area exceeds the one acre threshold;
- Stormwater runoff from asphalt or concrete batch plants that is directed to and discharges from the mine pit. The resulting discharge is considered **process water**.
- Stormwater runoff from mine areas that commingles with product wash water prior to discharge.

5. **Discharge type:** Indicate the discharge type (for example pumped or passive pit dewatering; other process water discharge (such as product wash water); detained stormwater (such as detention or sediment ponds); stormwater sheet flow; etc.

6. **7. & 8. Flow:** For all process water outfalls, indicate:

- whether the discharge is measured continuously or instantaneously,
- the specific flow rate method the permittee uses (v-notch weir, pump capacity, parshall flume, etc.), and
- the average flow rate in million gallons per day (MGD).

Note: the division will apply the flow rate provided in this application supplement as a 30-average flow limit in the facility certification.

9. **Chemicals:** Identify all chemicals used in industrial activities at the facility that have the potential to be present in the discharge. Chemicals in this context include, but are not limited to, chemical used at any point in the treatment process, release agents, etc. If the facility does not use chemicals, please indicate 'NA' in the table.

10. **Pit distance to receiving water:** As applicable to the facility, provide the distance from the pit to the immediate receiving water. If the facility does not have a pit, please indicate 'NA' in the table.

11. & 12. **Receiving water:** Receiving waters include lakes, ponds, rivers and streams (perennial, intermittent or ephemeral), drainages, irrigation ditches, wetlands, etc. Identify the immediate and ultimate receiving water of the discharges from all outfalls for the facility (immediate receiving waters are those that the facility discharges directly to; the ultimate receiving waters are those directly downgradient of the immediate waters).

