



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

October 7, 2022

Dan Tucker
CWPDA
205 S. Main St
Fowler, CO 81039

RE: Adequacy Review; Technical Revision (TR-7); Pueblo East, Permit No. M-1986-015

Dear Mr Tucker,

On September 28, 2022, the Division of Reclamation, Mining and Safety (Division/DRMS) received a request for Technical Revision (TR-7) to revise the approved reclamation seed mix to one that is more compatible with existing site conditions at the Pueblo East Pit, Permit No. M-1986-015. Please be advised that on October 28, 2022, the application for TR-7 may be deemed inadequate and denied unless the following adequacy items are addressed to the Division's satisfaction. Please respond to the adequacy items with a letter summarizing each response, to the numbered items below, in a cover letter titled "Adequacy Review Response TR-7, M-1986-015".

1. In the online submittal of TR-7 the Operator states a request to reduce the currently approved permit area from 464.49 acres to 349 acres for a reduction of 115.49 acres. A reduction of permit acres cannot be completed through a technical revision. An Acreage Reduction (AR) request needs to be submitted to reduce permitted acres. The Division is aware the Operator has submitted an AR for approximately the same amount of acres. Please affirmatively acknowledge no permit acres will be released through TR-7.
2. In the online submittal of TR-7 the Operator states a request to reduce the currently approved affected area from 285 acres to 266 acres for a reduction of 19 acres. A reduction of affected acres cannot be completed through a technical revision. Please affirmatively acknowledge no affected acres will be released through TR-7.
3. In the online submittal of TR-7 the Operator indicated there was going to change in the required bond amount, however no cost estimate was included in the submittal. Does the Operator intend on submitting a revised bond estimate for the site? Please note if a new bond estimate is calculated as part of the TR the Operator will have to submit a Surety Reduction request if there is a reduction. However, if the bond estimate comes out to be more than is currently held the Division will issue a Surety Increase for new amount.



The Division will address any adequacy issues for the recently submitted Acreage Reduction request 2 (AR-2) under a separate letter.

The decision date for TR-7 is October 28, 2022. If additional time is required to respond to these adequacy issues please submit a written request for extension of the review period. The Division reserves the right to further supplement this document with additional adequacy issues and details as necessary.

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

ec: Dan Tucker, CWPDA, dan@agraco.net