



November 14, 2022

Nick Varra  
Varra Building Inc.  
14440 WCR 100, Suite 1  
Nunn, CO 80648

**Re: VIP Mine, File No. M-2022-032,  
112c Permit Application, Second Adequacy Review**

Mr. Varra -

The Division of Reclamation, Mining and Safety (Division) reviewed the contents of the 112c permit application for the VIP Mine, File No. M-2022-032, and the Division identified three adequacy items, as noted in previous letters. I have included the status of the three previous adequacy items in this letter. Also, after additional review, I have added four adequacy items.

The Division is required to issue an approval or denial decision no later than December 9, 2022, therefore a response to the following adequacy review items should be submitted to the Division as soon as possible.

**ADEQUACY REVIEW ITEM #1 (from 6 October 2022 letter)**

**A letter from Atmos Energy Company is required (as previously discussed).** The letter must state that the VIP Mine, as proposed, will have no negative effect on these utilities.

**ADEQUACY REVIEW ITEM #2 (from 12 October 2022 letter)**

No additional response required.

**ADEQUACY REVIEW ITEM #3 (from 12 October 2022 letter)**

No additional response required.

**ADEQUACY REVIEW ITEM #4**

**Per Rule 6.2.1(2), all maps (except the index map) must be revised to include the permittee name ("Varra Buildings, Inc.") and the date of preparation of the map. Also, in the previous submittal, some maps were of poor quality and difficult to read. Please consider possible changes to make these more legible to anyone looking at electronic copies.**

**ADEQUACY REVIEW ITEM #5**

**The map labeled "Exhibit C.a" must be revised to show all utility features within 200 feet of the permit boundary. This includes electrical lines, water lines, and gas lines. Please note that the current copy of Exhibit C.a is very poor quality after scanning to our system. Any actions to improve the quality of the map are appreciated by the Division.**

**ADEQUACY REVIEW ITEM #6**

**The Division recommends that a Weed Control Plan be developed and incorporated into the permit application.** The Weed Control Plan should be developed in consultation with the county extension agency (or other recognized experts) and should include: a list of noxious weeds present (or anticipated to be present) at the site, the specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. (This recommendation is related to Rule 3.1.10(6).) The plan should state that List A species will be eradicated and List B Species will be controlled. The plan should also describe the efforts that will be made to control List C species, including field bindweed, a focus in Weld County.

**ADEQUACY REVIEW ITEM #7**

**The reclamation plan (Exhibit E) should discuss how cattle grazing will be managed at the site.**

If you have any questions, please contact me at [rob.zuber@state.co.us](mailto:rob.zuber@state.co.us) or (720) 601-2276.

Sincerely,



Robert D. Zuber, P.E.

Environmental Protection Specialist

Cc: Tony Evans, Encompass LLC  
Michael Cunningham, DRMS

