



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

December 29, 2022

Jodi Schreiber
PRM Consulting LLC
1774 N. Cougar Drive
Pueblo West, CO 81073

Re: Notice of Filing Deficiencies, 112c Construction Materials Application Colorado Gravel LLC Pit, File No. M-2022-053

Dear Mrs. Schreiber:

On December 19, the Division of Reclamation, Mining and Safety (the Division) received the Colorado Gravel LLC 112c Construction Materials Regular Reclamation Permit Application for the Colorado Gravel LLC Pit, File No. M-2022-053. Pursuant to Rule 1.4.1(8) the Division has determined the application contains deficiencies which prevent the application from being considered filed. The following filing deficiencies must be addressed before the Division can consider this application complete and the technical adequacy review can begin. Please respond to this Notice of Deficiencies with the requested information and summarize each response to the numbered items below.

Application Form

1. Please correct the following information on the application form.
 - a. Item 6, Page 2 is blank. Add the name of the owner of subsurface rights of the affected land.
 - b. Item 9, Location Information. Based on the maps provided, the quarter section and quarter quarter section are reversed. Please review and correct.
 - c. Item 10, Primary Mine Entrance Location. Based on the maps in Exhibit C, the latitude and longitude coordinates are incorrect. Please review and correct.
 - d. Item 15. Check the box for Crushing/Screening. The description indicates processing will occur on site.
 - e. Page 8, Applicant/Operator or Company Name. This should be the permittee, Colorado Gravel LLC. Additionally, the signature of company representative needs to be on the signature line. Please resubmit a revised and notarized page 8.

Exhibit A

2. Please correct the legal description in Exhibit A to match the revision requested above on Item 10 of the application - latitude and longitude for the mine entrance.

Physical Address: 1313 Sherman Street, Room 215, Denver, CO 80203 P 303.866.3567 F 303.832.8106

Mailing Address: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216 <https://drms.colorado.gov>

Jared S. Polis, Governor | Dan Gibbs, Executive Director | Virginia Brannon, Director



Exhibit Q - Proof of Mailing with County Commissioners and Soil Conservation District (Rule 6.4.17):

3. Provide proof of mailing by submitting copies of the certified mailing signature cards or the returned letters with signatures indicating the parties received the notice of application.

Exhibit R – Proof of Filing with County Clerk and Recorder (Rule 6.4.18):

4. Provide proof of filing with Prowers County by submitting copies of the certified mailing signature card or the returned letter with a signature.
5. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy in accordance with Rule 1.6.2(2). Please submit proof that the public review copy has been updated with a copy of this letter and associated response.

The Colorado Gravel LLC 112c Construction Materials Reclamation Permit 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. Please note, if you have already published notice you will need to republish notice, but only after the Division considers the application filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once a week for four consecutive weeks, stating within 10 days of the date your application is considered filed. The final date for receiving comments is the 20th day after the last publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have 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. The response to this Notice of Filing Deficiencies is due on or before February 27, 2023.

This letter shall not be interpreted to mean that there are no other deficiency or adequacy requirements in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act and Rules after submittal of all required items. If you have any questions or comments, feel free to contact me at nikie.gagnon@state.co.us or 303-866-3567 x 8126.

Thank you,

Nikie Gagnon

Nikie Gagnon
Environmental Protection Specialist

cc: Ron Peterson, Colorado Gravel LLC
Amy Eschberger, Senior EPS, DRMS