



February 6, 2023

Jodi Schreiber
All Rite Paving & Redi-Mix
839 Mackenzie Ave.
Canon City, CO 81212

**RE: Mooney 5804 Altura Pit (Permit No. M-2010-012)
Complete Application**

Dear Ms. Schreiber:

On January 25, 2023, the Division of Reclamation, Mining and Safety received your Amendment Application 1 (AM1) package for the Mooney Altura Pit, File No. M-2010-012. Preliminary review of the information received determined that the following items must be received before the Division can consider your application as being submitted and a technical review can begin:

Application Form

1. Applicant/operator name on the application is All Rite Paving & Redi-Mix and is listed as a Corporation. The Secretary of State website has the name listed as All Rite Paving & Redi-Mix, Inc. Please clarify the name of the company as having Inc. or Corp.
2. The pit name on the application is Mooney Altura Pit. The Division has the name Mooney 5804 Altura Pit on file for Permit # M-2010-012. Please clarify the name of the pit.
3. The existing permitted acreage listed in item 3 has 123.9 acres. The Division records show that the Mooney 5804 Altura has 114.95 acres. Item 16 of the application also shows the Mooney 5804 Altura Pit as having 114.95 acres. Please clarify the existing acres, change in acreage and total acreage in permit area.
4. The applicant operator listed in item 11 of the application is John Paul Ary. The Secretary of State lists Joshua Paul Ary as the registered agent of Freemont Paving and Redi-Mix, Inc. Please clarify who is the president/registered agent of All Rite Paving & Redi-Mix.
5. The permitting contact in the application has an address of 839 Mackenzie Ave, Canon City 81212. The Division has on file: PO Box 841, Canon City 81215. Please clarify the correct address and zip code.
6. The inspection contact in the application has an address of 839 Mackenzie Ave, Canon City 81212. The Division has on file: PO Box 841, Canon City 81215. Please clarify the correct address and zip code.
7. The certification page stating that the Notice required by Rule 1.6.2(1)(b) was posted at the proposed location was not included with the application. Please post the sign at the site with



the proper information and return the completed certification form.

Your 112 amendment application will not be considered submitted/filed until the information listed above is received and found sufficient to begin the review. A decision date will be established 90 days from the date of receipt and acceptance of all the requested information (Rule 1.4.8(1)).

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 DRMS 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 DRMS, the DRMS may deny the application and terminate the application file. All corrected pages must also be provided to Las Animas County Clerk & Recorder.

The response to this Incompleteness Notice is due on or before April 7, 2023.

This letter shall not be interpreted to mean that there are no other completeness issues or technical deficiencies in your application. The DRMS 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 have any questions, please contact me at (720) 774-0040 or brock.bowles@state.co.us.

Sincerely,



Brock Bowles
Environmental Protection Specialist