



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, Colorado 80203

February 8, 2023

David King
Asphalt Specialties Co., Inc.
10100 Dallas St
Henderson CO 80640

**Re: Notice of Adequacy Deadline for a 112 Construction Materials Reclamation Permit Application
Package, Asphalt Specialties – Stiles Mining Resource, File M2021-067**

Mr. King:

As you are aware, due to the public objections to this application, the decision to approve this application cannot be made at the DRMS staff level. The MLRB must determine if the application will be approved over objections, approved with conditions, or denied.

In December of 2022, the MLRB extended the decision/recommendation date for the Stiles application beyond the 365 day deadline by 90 days - to March 13, 2023. In the third adequacy review letter for the Stiles Mining Resource site dated January 10, 2023, the Division requested that responses to all outstanding adequacy issues be submitted no later than February 28, 2023. This date was chosen to allow the Division sufficient time to prepare a recommendation and rationale letter by the March 13, 2023 deadline. At this time, all issues identified in the January 10, 2023 adequacy letter are still outstanding.

The Divisions' recommendation date for this application is March 13, 2023. **Please be advised that if you are unable to satisfactorily address all adequacy concerns identified in the previous review before February 28, 2023 the Division will recommend denial of this application.** Alternatively, you may withdraw the Stiles application currently under review, and resubmit a new permit application at a later date.

Please note that any changes or additions to the application on file in our office must also be reflected in the public review copy, which has been placed with the Weld County Clerk and Recorder.

Sincerely,

Eric Scott – Environmental Protection Specialist

