



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

1313 Sherman St. Room 215
Denver, CO 80203

February 9, 2023

JC York
J&T Consulting
305 Denver Ave STE D
Ft Lupton CO 80621

RE: File M2008-017; Derr Pit; Technical Revision 8 (TR8) – Revisions to Mining Plan to include mining in Phase 7a without exposing groundwater, Adequacy Review 1

Mr. York:

The Division of Reclamation, Mining and Safety received Technical Revision 08 on January 30, 2023. **The decision date for this revision has been set for March 1, 2023. Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period.** If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division must deny this revision.

This TR proposes to include surface mining of Phase 7 (identified as phase 7a) while not exposing groundwater. This mining will occur concurrently with surface mining of the same nature in Phases 5a and 6a. The initial phase of excavation in these areas is intended create a bench at a depth which would allow the subsequent installation of a slurry wall to bedrock by a long-reach excavator by reducing the remaining depth to bedrock to 80 feet or less.

DRMS has completed the initial adequacy review of TR08. The Division has no objection to the nature of the revision proposed, however, it has a significant impact on the currently approved mining and reclamation plans. As with most revisions of this nature, there are items that will require clarification of the existing information or submittal of additional information.

Please provide an updated mining plan, existing conditions/mining plan map, reclamation plan, reclamation plan map, and reclamation bond estimate for the site. These should include the following information at a minimum:



- 1) Update of Mining Plan Map to reflect current conditions at the site.
- 2) Update/Clarification of the status of all structures/utilities (electric, gas/oil lines or wells existing or proposed, existing structures) within phases 5, 6 and 7. DRMS will require the operator to adhere to all previously identified setback distances from these features unless/until these structures are removed.
- 3) What is the proposed total depth of this initial phase of mining?
- 4) The currently approved mining plan indicates that the slurry wall will be located well outside of the top-of-slope mining limit and within the current 200' setback from the County Road ROW on the North, East and West sides of Phases 5, 6 and 7. Setback distances to the top-of-slope mining limit along the south side of these phases vary at this time, but will need to be specified. The mining plan/mining plan map will need to be updated to accurately show how the setbacks will be maintained while excavating to install the slurry wall. This would seem to require that the proposed slurry wall alignment be modified to move it within the current limit of excavation.
- 5) How will the interior slopes of this excavation be mined and sloped to maintain stability and facilitate reclamation at 3H:1V?
- 6) Modification of the mining plan into essentially two distinct stages (excavation above groundwater prior to installing slurry wall, followed by installation of slurry wall and excavation to full depth) will require that DRMS implement a two-stage mining, bonding and reclamation plan. Please revise the mining plan and reclamation plans (and supporting maps as needed) to provide sufficient detail to fully describe how both stages will be conducted.
 - The mining/reclamation of the first stage of excavation (above groundwater) will need to include backfill/sloping of all interior slopes to 3H:1V or flatter, replacement of topsoil over the entire disturbed area, and revegetation with the approved reclamation seed mix. The operator will need to commit to retaining all salvaged topsoil from the affected areas on-site for use in reclamation for reclamation of this initial stage.
 - The second stage of excavation to full depth will need to include the bonding/installation of the slurry wall, backfill/sloping of all interior slopes to final configuration identified, and replacement of topsoil/revegetation above the water line of the completed reservoir.
- 7) Reclamation bonding costs will need to be provided for both stages as outlined above.
- 8) Given the amount of modification to the existing plans that will be required for this revision, DRMS would encourage the operator to take this opportunity to review the mining and reclamation plans for the site as a whole, and determine if additional modifications are needed.

This concludes the Division's adequacy review of TR08. This letter shall not be construed to mean that there are no other technical issues with the submittal. Other issues may arise as additional information is supplied.

If you have any questions, please contact me at (303) 866-3567 x8140, or by e-mail at eric.scott@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Eric Scott". The signature is written in a cursive, flowing style.

Eric Scott
Environmental Protection Specialist