

April 3, 2023

Peter Hays
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Response to 3rd Adequacy Review Comments for Martin Marietta Materials, Inc., Windsor East Mine, File No. M-2022-042, 112c Permit Application

Dear Mr. Hays:

This letter is in response to your 3rd Adequacy Review Letter, dated March 24, 2023, regarding Martin Marietta Windsor East Mine's 112c Permit Application (File No. M-2022-042). Please find our responses below.

Comments

6.4.6 Exhibit G - Water Information

1. On March 22, 2023, the Division sent a copy of the Summary of Adequacy Response Review letter from Eric Scott dated March 17, 2023 regarding Exhibit G. Please respond to the comments contained in the letter.

Response

Acknowledged. A separate letter (2nd Adequacy Review Response) contains the responses to Eric Scott's comments regarding Exhibit G.

6.4.12 Exhibit L - Reclamation Costs

2. The Division calculated the cost for an independent contractor to reclaim the site based on the information provided by the Applicant in the permit application at \$2,300,000.00. A copy of the Division's bond estimate is attached for review.

Response

Martin Marietta accepts the Division's bond estimate that was provided.

6.4.18 Exhibit R - Proof of Filing with County Clerk and Recorder

3. Please provide an affidavit or receipt indicating the date on which the revised application information required to address this adequacy letter and the second adequacy letter dated March 22, 2023 were placed with the Weld County Clerk and Recorder for public review, pursuant to Subparagraph 1.6.2(1)(c).

Response

Attached is a copy of the receipt documenting that the Adequacy Review 2 and 3 response documents were filed with the Weld County Clerk to the Board's office.

Please be advised the Windsor East Mine application may be deemed inadequate, and the application may be denied on April 17, 2023, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of the Applicant's right to a decision by April 17, 2023 and request for additional time. This must be received no later than the decision date.

Unless you should need more time to review our Adequacy Review 2 and 3 responses, the decision date should work, and no additional time is needed. Please let us know if for any reason you need additional time to review and approve the application.

Thank you for your consideration. If you have any questions or need additional information, please let me know.

Sincerely,

TETRA TECH



Pamela Franch Hora, AICP
Senior Planner

cc: Julie Mikulas, Martin Marietta

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Julie Mikulas
Regional Land Manager

April 6, 2023

Weld County Clerk to the Board's Office
1150 O Street
Greeley, CO 80631

RE: Notice of Application for a Mined Land Reclamation Permit (M-2022-042), County Copy of Public Notice Documents

To Whom It May Concern:

Enclosed are revised pages for the 112(c) application to the Colorado Division of Reclamation, Mining and Safety for our Windsor East Mine that were delivered to you on September 22, 2022 and October 6, 2022 and March 3, 2023. Copies of these revised pages are being delivered to you pursuant to 34-32.5-112(9)(a), C.R.S., as amended. The revised pages should be made available for public review along with the application that was delivered on September 23, 2022 and the revisions on October 6, 2022 and March 3, 2023 until the permit has been approved by the Division of Reclamation, Mining and Safety.

Please acknowledge receipt of the public notice documents by signing below.

Sincerely,

Julie Mikulas
Regional Land Manager

RECEIVED THIS ____ DAY OF _____ 2023.

Weld County Clerk to the Board

By: _____ **RECEIVED** _____

Name: _____ **APR 08 2023** _____

Title: _____ **WELD COUNTY COMMISSIONERS** _____

Rocky Mountain Division – Northern Office
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www.martinmarietta.com