



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

May 2, 2023

Mr. Scott Marcus  
CEMEX, Inc.  
P.O. Box 529  
Lyons, CO 80540

**RE: Preliminary Adequacy Review; Reclamation Cost Estimate;  
Lyons Quarry, Permit No. M-1977-208**

Dear Mr. Marcus,

On March 10, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received your response to CT-5 which provided an updated Reclamation Cost Estimate for the Lyons Quarry, Permit No. M-1977-208. The Division has reviewed the cost estimate and has adequacy items that need to be addressed or further clarified before the Division can complete its Reclamation Cost Estimate for the site. Please respond to the adequacy items with a letter summarizing each response, to the numbered items below, in a cover letter titled "Preliminary Adequacy Review Response Reclamation Cost Estimate, M-1977-208".

1. Please provide a map along with an aerial image overlay that accounts for all the buildings and structures. Include with the map or maps a legend that identifies the structures as they are used within the provided tables.
2. Please provide the number of power poles, the height of the poles and the number of poles with cross arms that are found at the site.
3. Is there asbestos or any other hazardous materials contained in the buildings or other structures at the site that would need to be managed prior to demolition?
4. Please provide the dimensions of the metal buildings listed in Table 3.
5. The buildings listed in Table 4 are not all contained in Table 2, please update Table 2 with the building dimensions as the Division uses these dimensions in its calculations, e.g. bag house, raw materials dryer, stack, primary crusher, secondary crusher, and homogenizing silos.
6. The cost estimate for the GCL, does that include QA/QC during installation? What is the cost estimate based on?



7. What is the source for the shale material for C-Pit? Since Dowe Flats is no longer a viable source the shale material it needs to be imported. Please provide a cost estimate for importing 50,000 cy of shale material.
8. What is the source of backfill material for C-Pit? Please provide a materials balance sheet that shows where material used for final reclamation is being sourced.
9. According to TR7 the Operator estimates \$625,000 would be needed to treat water that remains in C-Pit prior to disposal. Worst case scenario the State would need to treat water prior to backfilling. Please provide an updated cost estimate for this item and include in this estimate the amount of time required to treat water.
10. What is the volume of water in C Pit?
11. Please provide the volume calculation used to estimate the volume of backfill required for C-Pit.
12. The Division estimates the area requiring a 2 foot shale cap to be 16.9 acres not the 14.9 acres provided. Please provide the area of C-Pit that requires a 2 foot shale cap.

This concludes the Division's preliminary adequacy review of your submittal. The Division reserves the right to further supplement this document with additional adequacy items and/or details as necessary.

The decision date for your response is set for **May 16, 2023**.

If you need additional information or have any questions, please contact me by telephone at **303-866-3567 x8114**, or by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

Sincerely,



Patrick Lennberg  
Environmental Protection Specialist

cc: Jared Ebert, DRMS

ec: Scott Harcus, CEMEX, Inc., [scotta.harcus@cemex.com](mailto:scotta.harcus@cemex.com)  
Robin Bay, Habitat Management, Inc., [rbay@habitatmanagementinc.com](mailto:rbay@habitatmanagementinc.com)