



COLORADO

Division of Reclamation, Mining and Safety

Department of Natural Resources

Rm 215
1001 E 62nd Ave
Denver CO 80216

July 18, 2023

Jim McCuistion
JH Sand & Gravel, LLC
5960 Ln 23
Sugar City, CO 81076

RE: JH Sand & Gravel Pit #1, Permit No. M-1979-131, Technical Revision (TR-3), Second Adequacy Review

Dear Mr. McCuistion:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced Technical Revision and your responses to the Division's preliminary adequacy review in order to ensure that it adequately satisfies the requirements of the Colorado Mined Land Reclamation Act (§ § 34-32.5-101-34-32.5-125) (Act) and the Rules and Regulations for the Extraction of Construction Materials (Rules). During review of the material submitted, the Division determined that the following issues of concern need to be adequately addressed before the Technical Revision can be considered for approval, **your responses are in blue**, and the Division's follow-up concerns have been **bolded**:

1. *A revision to the mining plan and mining plan map is required. The mining plan must provide the following details pertaining to the proposed batch plant at minimum:*

Your responses to item #1 must be in the form of a revised mining plan narrative, reclamation plan narrative, and a revised mining plan map.

- a. *Where will the batch plant be located?*

"Exact location has not yet been determined"

- **Please include your response in a revised mining plan. Additionally, please provide an approximate location on the mining plan map and note that it may be subject to change.**

- b. *Will additional materials be needed to operate the batch plant be stored onsite?*

"Yes"

- **Please include in the mining plan what these materials are.**

- i. *If so, where will they be located?*

"Yet to be determined of exact location"

- ii. *How will they be stored?*

"Stock piled near batch plant"

- **Please include this response in an updated mining plan narrative, and provide**



an approximate configuration of the stockpiles in relation to the batch plant on an updated mining plan map.

iii. *How will these materials be handled?*

“Loader”

- **Item #1(b)(iii) refers to the physical handling as well as any applicable safe handling procedures. Please describe in an updated mining plan how the materials needed to operate the batch plant will be handled.**

c. *Will the plant generate any waste material?*

“No”

- **Please explicitly state your response in the form of an updated inclusion in your mining plan narrative.**

i. *If so, how will the waste be handled and disposed of?*

d. *Will additional permits and/or licenses be required to operate the batch plant?*

“No”

- **Please explicitly state your response in the form of an updated inclusion in your mining plan narrative.**

i. *If so, have these been applied for?*

e. *The TR-3 application states that “Crowley County has no submittal requirements for this plant”. Is there documentation that states that the county does not require additional approval?*

“A letter from zoning officer can be acquired if necessary”

f. *Provide an updated reclamation plan that accounts for the reclamation of the batch plant and any associated disturbance.*

“The reclamation will be in an area of permit that has yet to be reclaimed, and the plan has not changed”

- **Please update the narrative in the reclamation plan to explicitly account for how the batch plant area will be reclaimed. For example, include any demolition or disposal tasks to reclaim the batch plant or any fuel/lubricant storage facilities, etc., if necessary.**

Update mining plan narrative, mining plan map, reclamation plan narrative, and any other exhibits affected by these changes pursuant to Rule 6.4.

- **Again, your responses need to be in the form of updated plan narratives, maps, and any pertaining exhibits within your approved permit.**

2. *Please submit a plan showing how runoff from the disturbed area associated with the concrete*

plant and it's operation will be managed to protect against pollution of hydrologic balance in accordance with Rule 6.4.7(2)(c).

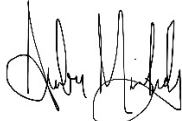
- **Please address Item #2 in the form of an updated Exhibit G – Water Information narrative pursuant to Rule 6.4.7.**

The Division is required to issue a decision on **August 4, 2023**. Please submit your response(s) to the above listed issue(s) at least three days prior to the decision date in order to allow the Division sufficient time for review. If you cannot address the above issues by this date, please request an extension to the decision due date to ensure adequate time for the Division to review materials. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please contact me via email at amber.michels@state.co.us or by telephone at (720) 836-0967.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Michels', with a stylized, cursive script.

Amber Michels
Environmental Protection Specialist

Ec: Jared Ebert, Senior EPS, DRMS