



STATE OF
COLORADO

Carter - DNR, Jocelyn <jocelyn.carter@state.co.us>

Technical Revision No 3 Adequacy Letter

1 message

Carter - DNR, Jocelyn <jocelyn.carter@state.co.us>

Wed, Nov 15, 2023 at 2:51 PM

To: mgolliher@petelien.com

Cc: "Lennberg - DNR, Patrick" <patrick.lennberg@state.co.us>, "Ebert - DNR, Jared" <jared.ebert@state.co.us>

Good afternoon Mr Golliher,

The Colorado Division of Reclamation, Mining, and Safety has received your request for a technical revision to permit M-1977-002HR. Attached is the adequacy letter for the requested revisions. The decision date for the revision is December 3rd, please provide a response prior to this date

Kind regards,

Jocelyn

Jocelyn Carter
Environmental Protection Specialist
Colorado Department of Natural Resources
Division of Reclamation, Mining, and Safety



M1977002HR_TR3_AdequacyLetter_20231115.pdf

239K



15 November 2023

Micheal Golliher
3401 Universal Dr
Rapid City, SD

**Re: Pete Lien & Sons, Inc; Mining Permit M-1977-002 HR; Munroe Gypsum; Technical Revision
Request to formalize Affected Areas and increase the Total Disturbed Area at any one time.**

Dear Mr. Golliher,

On 3 November 2023 the Colorado Division of Reclamation, Mining, and Safety (Division) received your request for a Technical Revision No. 3 (TR3) in accordance with Rule 1.9 of the Munroe Gypsum Quarry, permit number M-1977-002HR. There are a few items that require further clarification before the file can be completed and a decision made. Please address the following items:

Application:

1. The permittee for the site is Colorado Lien Company, on Exhibits D and E this name is crossed out and the name Pete Lien & Sons, Inc. is provided. If there has been a change in business name, it would require a Succession of Operator for to be filed with the Division in accordance with Rule 1.16(3) and 1.12.

Rule 6.4.3 – Exhibit C – Pre-mining and Mining Plan Map:

2. Revise map to indicate the name of the permittee, Colorado Lien Company, in accordance with Rule 6.2.1(2).
3. Revise Exhibit C map to include the following, in accordance with Rule 6.4.3:
 - a. All adjoining surface owners of record; per subparagraph (a)
 - b. Clearly identify existing “ranch road” and the “spur roads” that will be built on affected land; per subparagraph (b)
 - c. Existing topography of the area with contour lines and the direction and rate of slope of the affected land; per subparagraph (c)
 - d. Owner’s name, type of structures, and location of all significant, valuable, and permanent man-made structures contained on the area of affected land and within two hundred (200) feet of the affected land; per subparagraph (g)

Rule 6.4.4 – Exhibit D – Mining Plan:

4. Based on the last annual report, 18.6 acres have been affected to date and 21.9 acres are reported to have been backfilled. Based on the Exhibit C – Pre-mining and Mining Plan Map submitted with the revision, the Division estimates about 19.7 acres have been affected and not shown as “released”. Further, based on the Division’s files only five (5) acres have been approved for reclamation liability release (SR1 date 26 July 1993 and SR2 dated 31 May 1994), and the proposed



Exhibit C and F maps show an area of about 8.53 acres as being released. Technical Revision No. 3 requests the total disturbed area to be 15 acres. It does not appear this will be adequate to cover the currently non-bond released affected area at the site. Provide clarification or otherwise revise the TR3 request.

5. Revise Exhibit D to include the following information, in accordance with Rule 6.4.4(e):
 - a. Clearly outline how mining will progress in phases/sequence in the areas shown on the Exhibit C – Pre-mining and Mining Plan Map. Include a timetable narrative that reflects what is provided on the map into the written plan of Exhibit D, to include estimated periods of time for the various stages/phases; per sub-subparagraph (i) and (iii).
 - b. Provide the acreage of the four mining areas shown on Exhibit C – Pre-mining and Mine Plan Map, per sub-subparagraph (ii).
6. Revise Exhibit D in accordance with Rule 6.4.4(j) to provide the dimensions of the “existing ranch road” and of the “spur roads” that will be built in addition to any improvements that will be made to the existing road because of mining operations.
7. At the time of Conversion Application No. 1 (CN1), approved 21 November 1995. The permittee submitted Exhibit T and additional information to clarify how mining and reclamation was to progress in relation to the 9.9 acres of disturbance. This plan defined each of the mine areas (Bodies A, B, C, and D), though the mining plan map did not clearly label these areas. Update the mining plan to clarify the level of disturbance that will exist within the proposed increase in disturbed acres, this should correlate and reflect the reclamation cost estimate (see Rule 6.4.12 – Exhibit L – Reclamation Costs below) and the current level of disturbance at the site discussed in item #4 above.

Rule 6.4.5 – Exhibit E – Reclamation Plan:

8. Revise Exhibit E to include the following information, in accordance with Rule 6.4.5(e):
 - c. A timetable narrative reflecting what is provided in Exhibit F – Reclamation Plan Map into the written plan of Exhibit E – Reclamation Plan, to include estimated periods of time for the various stages/phases; per sub-subparagraph (i).
 - d. Provide the acreage of the four reclamation areas shown on Exhibit F – Reclamation Plan Map, per sub-subparagraph (ii).
9. Revise Exhibit E to specify information about final grading. Specify the maximum anticipated slope gradient or expected ranges thereof in accordance with Rule 6.4.5(2)(f)(i).
10. Proposed revised Exhibit E states at the top of the Exhibit that 12 acres have been mined. See item #4 above regarding the various acreage discrepancies noted. Explain these discrepancies and update Exhibit E as necessary and clarify the total mined area and proposed increase in disturbed area.

Rule 6.4.6 Exhibit F – Reclamation Plan Map:

11. Revise map to show topography with sufficient contour lines and the rate of slope of all reclaimed areas in accordance with Rule 6.4.5(a).
12. Revise map to portray the proposed final land use of each portion of the affected land in accordance with Rule 6.4.6(b).
13. Revise map to indicate the name of the permittee, Colorado Lien Company, in accordance with Rule 6.2.1(2).

Rule 6.4.12 – Exhibit L – Reclamation Costs:

14. Provide an updated reclamation cost estimate, in accordance with Rule 6.4.12, reflecting the proposed revision to the mining and reclamation plan with an increase of the maximum disturbed land to 15 acres. Be advised, your estimate must include all the currently non-bond released affected land (see item #4 above).

The decision date is scheduled for 3 December 2023, if more time is required to address the above listed, please file an extension with the Division before then. If you have any questions, concerns, or need clarification, I can be reached at jocelyn.carter@state.co.us or at (303) 866-3567 ext. 8110 or (720) 666-1065.

Sincerely,



Jocelyn Carter
Environmental Protection Specialist