



COLORADO

Division of Reclamation, Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 9, 2024

Robert Wagner
RMR Aggregates, Inc.
6200 S. Syracuse Way, Suite 450
Greenwood Village, CO 801111

RE: Mid-Continent LST, File No. M-1982-121, Technical Revision (TR-7) Adequacy Review

Dear Mr. Wagner:

On July 9, 2024, the Division of Reclamation, Mining and Safety (Division) filled your Technical Revision request TR-7 for the Mid-Continent LST, Permit No. **M-1982-121**. During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Please address the following:

1. What is the total anticipated length of the Rockfall Berm?
2. Page 5 states that the berm will be reclaimed following Section III. Reclamation Plan – Area A

The benches and highwalls are excavated in solid rock and they will be left with either an inslope or a berm to retain runoff and to prevent erosion. The only backfilling and grading that can be accomplished will consist of pushing any loose materials on the benches up against the highwall or placing them in locations to support individual vegetation ecosystems on the benches. These will be described under the revegetation portion of this section.

Will the berm be left in place for erosion control? Or will it be graded to support revegetation islands since the “material in the Rockfall Berm qualifies as loose materials.”?

3. The berm is a semi-permanent feature that will remain until final reclamation. For bonding purposes, it will be considered a “partially consolidated stockpile”, rather than “loose material”.
4. Commit to providing the Division with an as-built or certification documentation from MSHA once the berm is completed.



Please submit your response(s) to the above listed issue(s) by **Wednesday, July 31, 2024** in order to allow the Division sufficient time for technical review. If you cannot address the above issues by July 31, 2024 please request an extension to the decision due date to ensure adequate time for the Division to review materials. The current decision due date is **August 7, 2024**. 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 feel free to contact me.

Sincerely,



Amy Yeldell

Environmental Protection Specialist

Ec:

Travis Marshall, Senior EPS, DRMS

Brittany Cocina, BLM