



STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

FW: WETCO

Ebert - DNR, Jared <jared.ebert@state.co.us>

Wed, Jul 17, 2024 at 2:58 PM

To: Manuel Agripino <manny@melmanenvironmentalcorporation.com>

Cc: "Hays - DNR, Peter" <peter.hays@state.co.us>, Erica Crosby <erica.crosby@state.co.us>

Hello Manuel,

Please see the attached determination from DRMS. A permit is not required.

Please let me know if you have any questions or concerns,

Jared

On Tue, Jul 16, 2024 at 3:54 PM Manuel Agripino <manny@melmanenvironmentalcorporation.com> wrote:

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M2024040_DRMS_Response.pdf

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

July 17, 2024

Western Equipment and Truck, Inc.

Attn: Manuel Agripino

Sent via email to: manny@melmanenvironmentalcorporation.com

**RE: Western Equipment and Truck, Inc. Site, Reference No. M-2024-040, Division Response to
“Is It Mining?” Questionnaire, No Permit Required**

Dear Manuel Agripino,

On July 16, 2024, the Division of Reclamation, Mining and Safety (Division) received information for an “Is It Mining” questionnaire regarding a proposed project to excavate about 100,000 cubic yards of fill material on a property in Weld County. The fill material will be excavated and then replaced on the same property and will not be hauled offsite. You also submitted a copy of a restoration and mitigation plan for the property in question to fulfill an administrative order from the U.S. Environmental Protection Agency.

The Mined Land Reclamation Board has requested the Division make determinations as to the need for a Mined Land Reclamation Permit. Based on the information provided in the questionnaire, the Division has determined **a permit is not required for the proposed activity from the Division**. Any significant deviation from the described activity could result in review and possible reversal of this determination.

If you disagree with this decision, you may petition to appear before the Board during a formal public hearing for a Declaratory Order concerning this matter. Pursuant to Rule 2.5.2(1), the request must be submitted to the Board in writing and be received no later than 10 days prior to the hearing. The written request must contain the information required pursuant to Rule 2.5.2(2). The next available Board hearing will be held on August 21, 2024. All hearings are held at 1313 Sherman St., Room 318, in Denver, Colorado 80203.

If you have questions please contact me at (303) 866-3567 extension 8120.

Sincerely,

Jared Ebert
Senior Environmental Protection Specialist

EC: Peter Hays, DRMS
Erica Crosby, DRMS

