



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

August 1, 2024

Bill Schenderlein
Blue Earth Solutions, LLC
P.O Box 2427
Fort Collins, CO 80522

**Re: Timnath Connell Pit, Permit No. M-1999-050, Amendment Application (AM-1),
Adequacy Review**

Dear Mr. Schenderlein:

The Division of Reclamation, Mining and Safety (Division) has completed its review of your May 16, 2024 Amendment Application (AM-1) for the Timnath Connell Pit in Larimer County. The current decision date for the application is set for August 14, 2024.

The Division has identified the following adequacy items in the application which require clarification or additional information:

Rule 6.4 Specific Exhibit Requirements – 112c Reclamation Operation

Rule 6.4.5 Exhibit E – Reclamation Plan

1. Please provide a schedule indicating when reclamation will be implemented in this exhibit pursuant to Rule 6.4.5(2)(e). It appears a schedule is present in the mining plan, this information just need to be present in the reclamation plan as well.
2. Will earthmoving equipment be supported by any other machinery such as water trucks, motor graders, dozers, etc.?

Rule 6.4.11 Exhibit K – Climate

3. Please provide the average wind speeds for the area in your description of significant climatological factors.

Rule 6.4.12 Exhibit L – Reclamation Costs

4. The Division is concerned that some structures such as the scale or silos may be classified as permanent structures that will require some degree of demolition for reclamation. Generally, any structure with a concrete footing or foundation will require demolition if it is being



removed for reclamation. Please confirm that all structures do not have concrete footings or foundations and are in fact portable.

5. If any structures are not portable and will require demolition. Please provide the approximate dimensions for all proposed structures that will require demolition and/or removal for reclamation. The Division must have sufficient information on these structures to accurately assess demolition costs.
6. Please specify the volume (CY) of clay material that needs to be placed to complete the clay liner.
7. The anticipated equipment used to accomplish these tasks should be included in the cost estimate for the Division to accurately assess the reclamation costs. Please include the equipment type as well (Dozer D8, D10, etc.).

Rule 6.4.19 Exhibit S – Permanent Man-made Structures

8. Per our email correspondence on July 1, 2024, the application did not include a landowner within 200 feet (CWH Properties LLC, 8603106004). Please list this landowner and any man-made structures within 200 feet of the affected land and provide proof of an attempted notice and structure agreement notarized by the applicant.
9. Please include copies of the structure agreement forms listing out the applicable structures and with the Certification and Notary for Permit Applicant sections filled out and notarized by the applicant, which were sent to each structure owner.
10. Please provide any fully executed structure agreements that have been obtained since the application was submitted.

This letter shall not be construed to mean there are no other technical deficiencies in your application. Please be advised that the approved extended decision date is August 14, 2024. If you are unable to satisfactorily address the comments in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division may deny this application.

If you require additional information, or have questions or concerns, please feel free to contact me by phone at (720) 812-2002, or by email at joel.renfro@state.co.us.

Sincerely,



Joel Renfro
Environmental Protection Specialist
Cc:
Kevin Anderson, Connell Resources
Amy Eschberger, DRMS