



STATE OF
COLORADO

Girardi - DNR, Chris <chris.girardi@state.co.us>

Korwell Dirt M2022034- Technical Review #1 Adequacy Letter

1 message

Girardi - DNR, Chris <chris.girardi@state.co.us>
To: Craig Rasmuson <rasmusoncraig@gmail.com>
Cc: Jared Ebert - DNR <jared.ebert@state.co.us>

Mon, Sep 9, 2024 at 2:02 PM

Hello Mr. Rasmuson,

Attached to this email is a copy of the Division's Adequacy Review for the Korwell Dirt, M2022034 Technical Review #1 (TR1). Please disregard the previous email.

A hard copy will be mailed to the address on file.

Please let me know if you have any questions.

Thanks,

Chris Girardi

Environmental Protection Specialist Intern



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

P: (720) 793-3041

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

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chris.girardi@state.us.co | <https://drms.colorado.gov/>



Korwell_TR1 Preliminary Adequacy Review letter.pdf
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COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

September 9, 2024

Craig Rasmuson
P.O Box 337282
Greeley, CO 80633

Re Korwell Dirt, M-2022-034, Technical Revision No. 1 (TR1), Preliminary Adequacy Review

Dear Craig Rasmuson:

On August 21, 2024, the Division of Reclamation, Mining and Safety (“Division” or “Office”) received the request for a Technical Review (TR-1) for the Korwell Dirt, File No. M-2022-034, proposing release of a portion of the permit/affected area and an associated surety reduction. During the review of the material submitted, the Division has identified the following items that require further clarification and guidance.

- The Operator has is requesting the release of 40.50 acres from the current 162 acre permit area and a reduction of the bond from \$241,604 to \$181,203 through the submittal of TR1.
- The Division must make a distinction between an Acreage Reduction, a Surety Reduction, and a Technical Revision. An Acreage Reduction (AR) is a release of part of the acreage from the permit and affected area and must be submitted in accordance with Rule 4.17.1. A Surety Reduction (SR) is a reduction in the amount of required Financial Warranty and must be submitted in accordance with Rule 4.14.1. A Technical Revision (TR) is a change in the permit that does not have more than a minor effect upon the approved Reclamation Plan.
- A TR can’t be used to release a portion of the permit and affected area.
- A AR must be submitted in accordance with Rule 4.17.1. Specifically, the written notice requesting the acreage reduction is required to be sent to the Office by Certified Mail and be separate from other types of communication to the Office in accordance with Rule 4.17.1(3).
- A SR must be submitted in accordance with Rule 4.14.1 and is also required to be sent to the Office by Certified Mail and be separate from other types of communication to the Office in accordance with Rule 4.17.1(3).
- The Division suggests the Operator proceed with the following:
 1. The Operator must submit a separate Acreage Reduction application for the proposed 40.50 acres. After the application request is deemed complete, the Division will conduct a release inspection of the 40.50 acres. This document was previously submitted by the Operator on 8/21/2024. Please resubmit this document, but only check the box for Acreage Reduction. As indicated above, the AR application must be submitted via Certified Mail and separate from other types of communication with the Office.
 2. The Applicant must submit a separate Surety Reduction application. The Operator can submit the SR application and AR application concurrently, but they need to be separate applications.
 3. The Division recommends the Operator withdraw TR1 until the AR is approved and the final decision is issued. Or the Division proposes to leave TR1 as an inadequate application while the acreage release of the 40.50 acres of the permit is being completed and the Operator can request and extension of the decision date for TR1.

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Jared S. Polis, Governor | Dan Gibbs, Executive Director | Michael A. Cunningham, Director



4. After the acreage release is approved by the Division, submit revised exhibits for TR1. In accordance with Rules 6.2.1(2), 6.4.3, and 6.4.6, this will should include an updated Exhibit C- Mining Plan and Exhibit F- Reclamation Plan Map, taking into account the release 40.50 acres of the permit.

This concludes the Division's adequacy review of TR1. The Division is required to issue a decision on the TR1 application on September 20, 2024. Please either request an extension of the decision date for the TR1 application, or please submit a request to withdraw the application. Otherwise, the Division will deny the application.

If you have any questions, please contact me by telephone at (720) 793-3041, or by email at chris.girardi@state.co.us.

Sincerely,



Chris M. Girardi
Environmental Protection Specialist

CC: Jared Ebert