



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

November 6, 2024

Kelsey Bruxvoot
AGPROfessionals
3050 67th Avenue
Greeley, CO 80634

**Re: Incompleteness Notice, 112c Construction Materials New Permit Application,
LTS Topsoil Mine, Permit No. M-2024-055**

Ms. Bruxvoort:

On October 28, 2024, the Division of Reclamation, Mining and Safety (Division/DRMS) received the 112 Construction Materials New Permit Application for the LTS Topsoil Mine, File No. M-2024-055. Preliminary review of the application determined the following items must be received before the Division can consider the application as being submitted/filed and the technical review can begin. Please respond to this Incompleteness Notice with the requested additional/updated information on permit application replacement pages and summarize each response in a cover letter titled "Incompleteness Response; M-2024-055".

APPLICATION FORM:

1. Incidental commodities to be mined: On the first page Section 5.1, Incidental commoditie(s) to be mined, was left blank. Please indicate type and quantity of material that will be incidentally mined at the site or if none are expected please clearly indicate with "NA". Please submit a replacement page one of the application form.
2. Location Information. On page two, item 9, the quarter/quarter section was left blank, please check one that best fits the proposed operation. Please submit a replacement page two of the application form.
3. Correspondence Information. On page 3, item 11, no email addresses were provided in this section. If you would like to update this information with email addresses, please provide them. There is no need to provide an updated page 3 unless you wish to do so



EXHIBIT R – Proof of Filing with County Clerk and Recorder (Rule 6.4.18):

4. Pursuant to Rule 1.6.2(1)(c), please demonstrate that the Applicant has placed a copy of the Applicant's response to these incompleteness issues have been placed with the application materials previously placed with the County Clerks or Records Offices and made available for public review.

Your new permit application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 90 days from the date of receipt and acceptance of all of the requested information. Additionally, if you have already published notice you will need to republish notice, but only after the Division considers the application complete and filed. The Division will notify you when you should initiate publication of your notice. This notice must be published once a week for four (4) consecutive weeks, starting ten (10) days of the date your application is considered filed. The final date for receiving comments is the twentieth (20th) day after the fourth publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division may deny the application and terminate the application file. Should additional time be required to submit all the necessary documents an extension request can be submitted in writing for consideration by the Division.

The response to this Incompleteness Notice is due on or before January 5, 2025.

This letter shall not be interpreted to mean that there are no other completeness issues or technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you need additional information or have any questions, please contact me by telephone at **720-665-0836**, or by email at patrick.lennberg@state.co.us.

Sincerely,



Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert, DRMS

ec: Kelsey Bruxvoot, AGPROfessionals, Kbruxvoot@agpros.com