



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

January 23, 2025

Nathan A. Barton
Wasteline Inc.
P.O. Box 3471
Rapid City, SD 57709-3471

RE: Need for State Reclamation Permit, Bondad U Store, LLC, File No. M-2025-006

Dear Mr. Barton:

On January 21, 2025 the Division of Reclamation, Mining and Safety (Division) received your correspondence responding the Division's inquiry, RE: "Is It Mining". The Division has assigned file number M-2025-006 to this project. Please display the file number on any correspondence regarding this specific project.

The information you provided indicates you propose to use material generated from a site that is on a valley floor terrace located approximately 30 feet above and between the Animas River and the Rio Florida. The site is located 3/4 of a mile north of Bondad. The site consists of 9.6 acres. Approximately 60,000 cubic yards will be excavated to a depth of 10-12 feet. 25,000-35,000 cubic yards will be used on site with the remainder being taken off site and sold in the local market. The equipment used for the project consists of various loaders and dozers to excavate. Processing equipment will include a jaw crusher, cone or vertical shaft impact crusher and a 2 or 3 deck vibrating screen with conveyors.

The Colorado Mined Land Reclamation Board (Board) has requested the Division make preliminary determinations regarding the need for a mined land reclamation permit. Based on the information provided in your response, it is the Division's opinion the project is a mining operation. Pursuant to Colorado law, you are required to first obtain a mined land reclamation permit from the Board prior to initiating the mining operation. If you disagree with the Division's determination you may petition the Board for a declaratory order whereby you may obtain an exemption from permit requirements. Such request must be made in writing and must be received no later than ten days prior to a regularly scheduled Board meeting. The next available Board meeting is scheduled for March 19, 2025.

If you have any questions please contact me at (970) 433-8281, otherwise we look forward to working with you through the permitting process.

Sincerely,

Travis Marshall
Senior Environmental Protection Specialist

ec: Russ Means, DRMS
Dustin Czaplá, DRMS

