

Environment, Inc.

LARRY E. O'BRIAN
FOUNDER

STEVEN L. O'BRIAN
PRESIDENT

7985 VANCE DRIVE, SUITE 205A
ARVADA, COLORADO 80003
303-423-7297
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April 16, 2025

via e-mail to jcd@jeffersoncd.com
Jefferson Soil Conservation District
P.O. Box 261205
Lakewood, CO 80226

Dear Board members:

Re: Application for a Mined
Land Reclamation Permit

We are delivering to you here a Notice of Application amendment and supporting documents for amendment to the Rocky Flats Pit, M-1987-113 that is operated by BURSCO Colorado LLC, pursuant to rule 2.2.2(1), Colorado Mined Land Reclamation Board - Mineral Rules and Regulations.

Please acknowledge receipt of this notice by signing in the appropriate space provided below or date stamping it and return a signed copy of this cover letter via e-mail to environment-inc@startmail.com. We need to submit this copy to the Division of Reclamation, Mining & Safety as proof of our filing with you.

Respectfully Submitted,



Steven L. O'Brian

enclosure

RECEIVED THIS 23 DAY OF April, 2025
Jefferson Soil Conservation District

By Garrett Stephens

Title District Director

NOTICE OF FILING
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATIONS**
NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL SOIL CONSERVATION DISTRICT
JEFFERSON COUNTY DISTRICT

BURNCO Colorado, LLC (the "Applicant/Operator") has applied for an amendment to their Rocky Flats Pit regular (112) reclamation permit (M-1987-113) from the Colorado Mined Land Reclamation Board ("the Board") to conduct an extraction of construction materials operation in Jefferson County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Colorado Division of Reclamation, Mining & Safety ("the Division") and the local County Clerk and Records office.

The applicant proposes to reclaim the land as Developed Water storage. Pursuant to C.R.S. 34-32.5-116(4)(m), C.R.S., the Board may confer with the Board of the local Soil Conservation District before approving the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments to the application within twenty (20) days of the date of last publication notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact Division of Reclamation, Mining & Safety, 1313 Sherman St., Room 215, Denver, CO 80203, (303) 866-3567. You may also contact the applicant directly at the above address or phone number below.

BURNCO Colorado, LLC
Attention: Joel Bolduc
10100 Dallas St.
Henderson, CO 80640
303-913-6583

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106



CONSTRUCTION MATERIALS REGULAR (112) OPERATION RECLAMATION PERMIT APPLICATION FORM

CHECK ONE: ☒ **There is a File Number Already Assigned to this Operation**

Permit # M¹⁹⁸⁷ 113 - (Please reference the file number currently assigned to this operation)

☐

New Application (Rule 1.4.5)

☒

Amendment Application (Rule 1.10)

☐

Conversion Application (Rule 1.11)

Permit # M 1987 113 - (provide for **Amendments** and **Conversions** of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should **NOT** be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, **ALL** information requested below.

1. **Applicant/operator or company name (name to be used on permit):** BURNCO COLORADO
 - 1.1 Type of organization (corporation, partnership, etc.): LLC
2. **Operation name (pit, mine or site name):** ROCKY FLATS PIT
3. **Permitted acreage (new or existing site):** 95.4 permitted acres
 - 3.1 Change in acreage (+) 24.3 acres
 - 3.2 Total acreage in Permit area 119.8 acres
4. **Fees:**

4.1 New Application	<u>\$2,696.00</u>	application fee
4.2 New Quarry Application	<u>\$3,342.00</u>	quarry application
4.4 Amendment Fee	<u>\$2,229.00</u>	amendment fee
4.5 Conversion to 112 operation (set by statute)	<u>\$2,696.00</u>	conversion fee
5. **Primary commoditie(s) to be mined:** SDG CLY
 - 5.1 Incidental commoditie(s) to be mined: 1. N/A - lbs/Tons/yr 2. / lbs/Tons/yr
3. / lbs/Tons/yr 4. / lbs/Tons/yr 5. / lbs/Tons/yr
 - 5.2 Anticipated end use of primary commoditie(s) to be mined: CONSTRUCTION MATERIALS
 - 5.3 Anticipated end use of incidental commoditie(s) to be mined: N/A

6. **Name of owner of subsurface rights of affected land:** CHARLES AND PERRY MCKAY
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** US DEPARTMENT OF ENERGY

8. **Type of mining operation:** ☒ Surface ☐ Underground

9. **Location Information:** The center of the area where the majority of mining will occur:

COUNTY: Jefferson

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 9

TOWNSHIP (write number and check direction): T 2 ☐ North ☒ South

RANGE (write number and check direction): R 70 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☐ NW ☒ SE ☐ SW

QUARTER/QUARTER SECTION (check one): ☐ NE ☐ NW ☐ SE ☒ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation):
NINE (9) MILES NORTH OF GOLDEN, COLORADO, 6,150 FT

10. **Primary Mine Entrance Location** (report in either Latitude/Longitude **OR** UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"
(W) 104° 59' 3.87"

Latitude (N): deg _____ min _____ sec _____._____ (2 decimal places)

Longitude (W): deg _____ min _____ sec _____._____ (2 decimal places)

OR

Example: (N) 39.73691°
(W) -104.98449°

Latitude (N) 39 87700 (5 decimal places)

Longitude(W) 105 23340 (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting _____

Northing _____

11. **Correspondence Information:**

APPLICANT/OPERATOR (name, address, and phone of name to be used on permit)

Contact's Name: JOEL BOLDUC Title: LAND & RESOURCE MGR
Company Name: BURNCO COLORADO LLC
Street/P.O. Box: 10100 DALLAS ST P.O. Box: _____
City: HENDERSON
State: CO Zip Code: 80640
Telephone Number: (303) - 913-6583
Fax Number: () -

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: JOEL BOLDUC Title: LAND & RESOURCE MGR
Company Name: BURNCO COLORADO LLC
Street/P.O. Box: 10100 DALLAS ST P.O. Box: _____
City: HENDERSON
State: CO Zip Code: 80640
Telephone Number: (303) - 913-6583
Fax Number: () -

INSPECTION CONTACT

Contact's Name: JOEL BOLDUC Title: LAND & RESOURCE MGR
Company Name: BURNCO COLORADO LLC
Street/P.O. Box: 10100 DALLAS ST P.O. Box: _____
City: HENDERSON
State: CO Zip Code: 80640
Telephone Number: (303) - 913-6583
Fax Number: () -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: US DEPARTMENT OF ENERGY (SCOTT SUROVCHAK)
Street: 11025 DOVER ST., SUITE 1000
City: WESTMINSTER
State: CO Zip Code: 80021
Telephone Number: (720) - 377-9682

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

12. **Primary future (Post-mining) land use (check one):**

- | | | |
|---|--|--|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input checked="" type="checkbox"/> Developed Water Resources(WR) | | <input type="checkbox"/> Solid Waste Disposal(WD) |

13. **Primary present land use (check one):**

- | | | |
|--|--|---|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input checked="" type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): _____
EXCAVATOR

15. **On Site Processing:** ☒ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): _____
EXCAVATOR

List any designated chemicals or acid-producing materials to be used or stored within permit area: _____
NONE

16. **Description of Amendment or Conversion:**

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).

- 1) REDRAWS THE BOUNDARY LINE BETWEEN BURNCO ROCKY FLATS PIT (M1987-113) AND LAKEWOOD BRICK CO. CHURCH PIT (M1979-045) TO REFLECT THE CURRENT MINING AREA FOR EACH COMPANY.
- 2) ADDS THE ENTRANCE AREA TO THE ROCKY FLATS PIT.
- 3) CHANGES THE RECLAMATION PLAN TO INCLUDE AN OPTION FOR DEVELOPED WATER STORAGE IN ADDITION TO THE EXISTING OPTION FOR RANGELAND.
- 4) FINALIZES THE DTICH RELOCATIONS ANTICIPATED IN THE 1987 APPLICATION.

Maps and Exhibits:

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

Responsibilities as a Permittee:

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

JB

1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

JB

2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;

JB

3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;

JB

4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;

JB

5. It is your responsibility to notify the Office of any changes in your address or phone number;

JB

6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):

- a. the name of the operator;
- b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
- c. the permit number.

JB

7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.

JB

8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.

JB

9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.

N/A

10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

NOTE TO COMMENTORS/OBJECTORS:

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).
2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.);
3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.
4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this 16th day of April, 2025.

BURNCO Colorado LLC
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: Joel Baldur

Signed: _____

Title: Land and Resource Manager

Corporate Secretary or Equivalent
Town/City/County Clerk

State of Colorado)
County of Adams) ss.

The foregoing instrument was acknowledged before me this 16 day of April, 2025, by Joel Baldur as Land + Resource Manager of Burnco Colorado



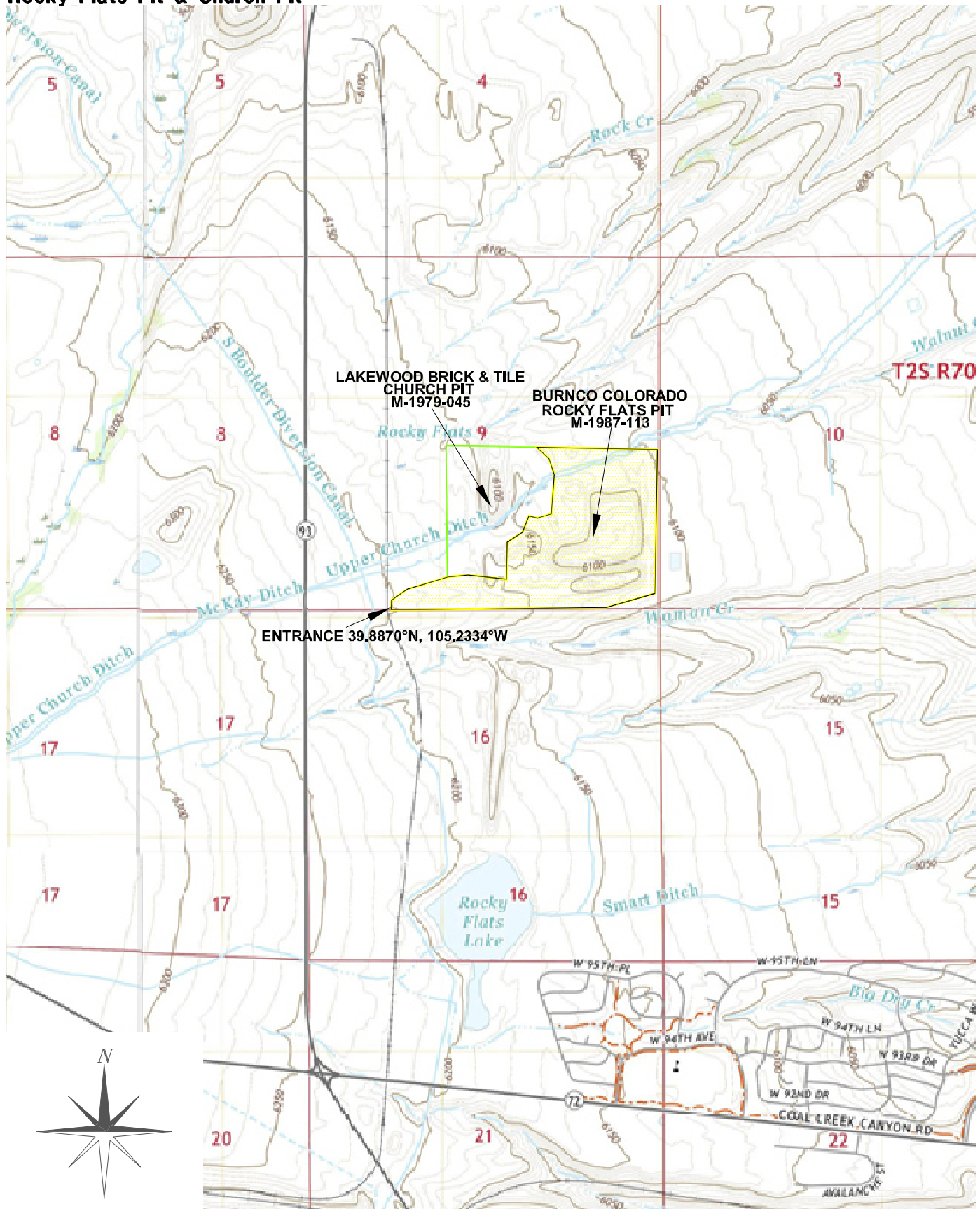
Kristina Leigh Kingsley

My Commission expires: 10-11-2027

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

EXHIBIT B - INDEX MAP
BURNCO COLORADO LLC.
Rocky Flats Pit & Church Pit



Date: 04/07/2025
Scale 1 inch= 2000 ft.

PARTS OF SECTION 9, T2S, R70W
JEFFERSON COUNTY, COLORADO