

# ASPHALT

## SPECIALTIES CO.

10100 Dallas St. • Henderson, CO 80640 • (303) 289-8555 • Fax: (303) 289-7707

December 7, 2012

Mr. Eric Scott  
Environmental Protection Specialist  
Colorado Div. of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

RE: Responses to Second Adequacy Review for Amendment (AM-2), Turnpike Mining Resource, DRMS Permit No. M-2004-009

Dear Mr. Scott:

We (ASCI/Weiland, Inc.) are submitting our responses and information to you regarding your second adequacy review comments received by us via e-mail on October 17, 2012. We have asked for and you have approved three extension requests in order to for us to properly answer primarily your concerns with groundwater issues on the referenced permit site.

Enclosed are:

1. Revised map Exhibits C-2 and F, the mine and reclamation plan maps. The only change on the mine plan maps are additional utilities and revised locations all enclosed within the easement for the Erie/ASCI utilities on the east side of the entrance road. Since the utilities are all contained within an easement, there is no change to the mining limits with this update. After further review of the backfilling of the "trout pond" in the northwest corner of the permit area that is a reclaimed feature of the old DMG permit on this site, we have realized that there is not enough backfill material (shale, overburden) to fill this pond at this time. It is all accounted for in the current mass balance figuring for the reclamation of the current mining activities. As stated before, the augmentation for this pond will be accounted for in the revised SWSP plan that will be renewed upon approval of this amendment. ASCI does own ditch shares in the Boulder-White Rock Ditch that serves this property and will use those shares as part of a permanent augmentation plan for this pond. Since we are not backfilling the trout pond, there is no revision to Exhibit L with his adequacy submittal. The revised Exhibit L submitted on October 18, 2012 is still valid.
2. Structure Agreement letters and attachments (agreement and map) for the three remaining structure owners within 200 ft. of the mining limits of this site in the southernmost area of the permit (previously sent by e-mail to you). Until such a time that these agreement letters are signed by the

affected parties or that a geotechnical stability analysis is performed that states that the mining and reclamation activities on the Turnpike mine site will not adversely affect any offsite structures, ASCI commits to mining no closer than 200 ft. from any identified structure in the agreement letters on file with the DRMS.

3. Finally, the groundwater report and specifications for a monitoring program for both quality and potential offsite mounding. The map figure can be printed at 11" x 17" for better clarity. It should be noted that the method of backfilling the shale into the mined-out sand and gravel in the currently active area of the permit will be accomplished with the pit in a de-watered state and that substantial compaction will occur to the shale due the weight of heavy equipment used to fill the material.

Peter Wayland has mailed a complete set of signed original mine and reclamation plan maps to you and they should be there by Monday. I will be mailing a package of these materials up to the Weld County Clerk to the Board today and she should have this information on Monday as well. I will also place original materials (minus the maps) in the mail to you today.

We feel that, especially the groundwater monitoring program, this response is complete in every manner and that we have satisfactorily answered your second set of adequacy concerns regarding this amendment to the Turnpike Mining Resource. We look forward to your timely approval of the amendment so that we can start in with the requirements of the amendment.

Please contact either me or Peter Wayland if there are any questions or concerns you may have and thank you for your attention to this matter.

Sincerely,



Rob Laird  
Land Manager

cc: file  
Dan Hunt  
Peter Wayland