

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

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John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

August 8, 2013

Nathan Barton
Wasteline, Inc.
11501 CR 34
Cortez, CO 81328

RE: McStone Aggregates, New Hay Camp (112c), File No. M-2013-031
Permit Application – Second Adequacy Review

Dear Mr. Barton,

Listed below are adequacy review comments for the New Hay Camp (112c) Permit Application, File No. M-2013-031. The Division of Reclamation, Mining, and Safety (Division) is required to make a decision by September 8, 2013. Therefore, your response to the following adequacy review concern should be submitted to the Division as soon as possible.

6.2.1(2)(e) General Requirement of Exhibits – Maps and Exhibits

1. As required by Rule 6.2.1 (2)(e), please submit maps that are prepared at a scale that is appropriate to clearly show all elements that are required to be delineated by the Act and these Rules. The acceptable range of map scales shall not be larger than 1 inch = 50 feet nor smaller than 1 inch = 660 feet. Also, that a map scale, appropriate legend, map title, date and a north arrow shall be included.

6.4.12 Reclamation Costs

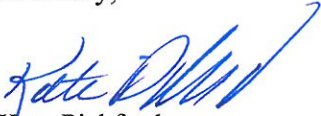
2. As required by Rule 6.4.12, please submit all information necessary to calculate the costs of reclamation, broken down into the various major phases of reclamation. The information provided by the Operator/Applicant must be sufficient to calculate the cost of reclamation that would be incurred by the state. The submitted mining plan indicates that two phases may need reclamation at some given time and that mining depths may be up to 50 feet. Based on the map provided, it appears that there could be up to 3520 feet of highwall requiring sloping at some point during the operation and there could be as much as 22.5 acres of disturbed, unreclaimed land at some given time. Therefore, based solely on the information provided, the Division must assume that the 3,520 foot highwall requiring reclamation could be 50 feet high. This is currently resulting in a cost of \$102,925.92 for highwall reduction alone. Also, based on the revegetation information provided, the estimated cost for 22.5 acres is \$52,387.03. Please supply additional reclamation and phasing information to provide more detailed information on the potential requirements for reclamation, or the Division will use its assumptions in the final bond calculation.

Please be advised that the McStone Aggregates, New Hay Camp (112c), Permit Application may be deemed inadequate, and the application may be denied September 8, 2013 unless the above mentioned adequacy review item is addressed to the satisfaction of the Division. Response to this adequacy concern must be received by the Division to allow adequate time for review prior to the decision date. If you feel more time is needed to complete your reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written

waiver of your right to a decision by September 8, 2013 and request for additional time. This request must be received no later than September 8, 2013. Please be aware that depending on the answers that are received regarding the above adequacy issue, the Division may have further adequacy questions.

If you have any questions, please do not hesitate to call me at (970) 259-5861.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kate Pickford", with a stylized flourish extending from the end.

Kate Pickford
Environmental Protection Specialist