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D.J. Simmons Inc., Pinto 1-7 Pit Closure, Lot 11 Section 7, T39N, R19W, N PM, Dolores County, Colorado, Form 27 Conditions of Approval (COAs)

Conditions of Approval:

Conditionally approved, however, additional information or activities may be required during the course of remediation.

PIT

It is proposed that residual solids will be mixed with clean material. Resulting mixture from the pit shall be sampled and analyzed for the constituents listed in table 910-1. If discrete samples are above 910-1 standards, the mixture shall be disposed at an approved facility. Waste manifest tickets shall be provided as documentation of disposal at an approved facility.

It is stated in the Form 27 "Final Closure Plan" dated August 4, 2014 that the "remaining visible pit liner above the mixed soil line will be removed". This is unacceptable and will **NOT** be allowed. The entire pit liner shall be removed. 72 hour notice shall be given to COGCC SW EPS Jim Hughes 970-903-4072, jimohughes@state.co.us, prior to liner removal.

Discrete soil samples shall be collected from beneath the pit liner and along sidewalls to adequately characterize whether an impact has occurred. Additionally, discrete samples will be collected from the western edge of the pit, where the liner has been compromised. Composite samples will NOT be accepted. Samples shall be analyzed for the constituents listed in table 910-1.

Enough discrete confirmation samples shall be collected to adequately characterize the resulting volume of pit contents and clean fill mixture.

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