



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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May 27, 2022

Becky Morris  
Environmental Scientist  
H2E, Inc.  
801 East 4<sup>th</sup> Street, Suite 5  
Gillette, WY 82716

RE: Loring Quarry Large Scale Mine Permit Application

Dear Ms. Morris:

The department has completed its review of Simon Contractors of SD Incorporated's supplemental information for its large scale mine permit application submitted on May 23, 2022, for the Loring Quarry. Based on our review, we have determined that the mine permit application is incomplete. Simon Contractors will need to address the following items in order to complete the application:

1. Operating Plan, Mining Method and Type, Section 2, page 1, Reclamation Plan, Topsoil Salvage, Section 6, page 3 through 5, and Reclamation Plan, Bonding, Section 16, page 8: In your response letter, you state that areas within the Proposed Permitted Affected Area, but outside disturbance areas noted as current quarry, expansion areas, roads, etc., are considered associated disturbance for areas along the edge of the quarry, access to stockpiles, or potential additional stockpile areas.

In the first paragraph under Mining Method and Type on page two of the Operating Plan, Simon Contractors needs to include more information on the acreage breakdown of the various mine facilities areas within the permitted affected area, including the associated disturbance areas. I have enclosed a permitted affected acreage table with an acreage breakdown that could be added to this section. Also, Simon Contractors needs to submit a new map showing the breakdown of permitted affected acreage, including the associated disturbance, since the Mine Plan Map is getting too busy. I have enclosed an example Permitted Affected Acreage Map that you can use as a template for your map. You can adjust the associated disturbance classifications to best fit the needs of Simon Contractors. In addition, if you refer to the circled area on the map, the area I labeled as



Associated Quarry Disturbance appears to be too large for any type of associated disturbance. Simon Contractors may want to designate this area for another use such as future quarry expansion.

Because of these acreage adjustments, in Section 6 – Topsoil Salvage of the Reclamation Plan, Simon Contractors will need to address topsoil that will need to be salvaged and replaced on the associated disturbance areas and adjust the replacement volumes as necessary. The company will need to include costs to reclaim associated disturbance areas in Table 3 of Section 16 – Bonding in the Reclamation Plan. Also, in Table 3, Simon Contractors needs to recalculate the overburden placement cost. Using the figures in the table, only 6,295 cy of overburden is being moved. However, in Section 3 – Grading on page 2 of the Reclamation Plan, Simon Contractors is moving 147,000 cy of overburden for the west quarry highwall and the quarry floors.

2. Operating Plan, Minimizing Adverse Impacts, Water, Section 5, pages 4 through 7: In your May 18, 2022 response letter, it is stated that you reached out to Matt Hicks of our department regarding whether a ground water discharge plan would be required. However, you don't mention what the results of your conversations were with Mr. Hicks. He sent you an email on May 18, 2022 explaining that a ground water discharge plan would not be required and you would need to contact the stormwater team in the department's Surface Water Program to discuss the requirements for temporary discharge or stormwater permits. Since this email was not discussed in your response, please address Mr. Hicks' comments and the results of your consultations with the stormwater team in your response.
3. Reclamation Plan, Grading, Section 3, pages 1 and 2: In the second paragraph of this section, Simon Contractors continues to state if highwalls are blasted, the blasted material will be processed and stockpiled for sale. Since this section addresses grading during final reclamation, it makes no sense that the company would still be processing and selling blasted material during final reclamation. This statement seems to belong in the Operating Plan instead of the Reclamation Plan. Please explain why this statement is in the Reclamation Plan.
4. Reclamation Plan, Topsoil Salvage, Section 6, page 4: After reviewing the Soil Survey in the mine permit application, I did not see the 24,000 cubic yards of currently stockpiled topsoil addressed in the document or the topsoil salvage calculations in the document. Instead of mentioning this in a footnote in Table 1, please modify the table to show the 24,000 cubic yards of currently stockpiled topsoil separately from the volume of topsoil to be removed. Simon Contractors should also revise the volume of topsoil to be removed from all currently undisturbed areas of the quarry prior to disturbance so we have an accurate estimate of topsoil available for reclamation.

5. Reclamation Plan, Landowner Consultation, Section 10, page 7 (SDCL 45-6B-44 and ARSD 74:29:06:02): Please note that the mine permit application will not be considered complete until proof of consultation with adjacent landowners South Dakota DOT and the US Forest Service during development of the reclamation plan is received by our office.
6. ARSD 74:29:01:04: The information in the revised mine permit application submitted May 9 and 23, 2022 and the information requested in this letter must be filed with the Custer County Register of Deeds office with the original mine permit application which is already on file for public review. Proof of filing, such as a letter from the register of deeds office, is required to be submitted.

Again, since there are not very many items left to address, please submit only the pages to be modified to address the comments in this letter. There is no need to submit the entire application again. If you have any questions, please feel free to contact our office.

Sincerely,

\s/

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Enclosures: Permitted Affected Acreage Table and Example Map

cc: Mike Lee, Simon Contractors with enclosures