STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

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January 24, 2014

Mark Klune
Continental Materials Corporation dba Transit Mix of Pueblo
P. O. Box 857
Pueblo, CO 81003

Gary Tuttle
Tuttle & Associates
P.O. Box 485
Broomfield, CO 80038

Re: Pueblo East Pit; DRMS File No. M-1986-015;
Technical Revision (TR-02) Preliminary Adequacy Review

Dear Messrs. Klune and Tuttle:

On January 15, 2014 the Division of Reclamation, Mining and Safety (Division) received a request for a Technical Revision (TR-02) addressing the following:

- *Hydrologic Balance & Sediment Control submittals as required in 12/04/2013 Inspection Report.*

The submittal was called complete for the purpose of filing on January 23, 2014. The decision date for TR-02 is February 22, 2014. Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, **it will be your responsibility to request an extension of the review period**. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this technical revision.

The following comments are based on the Division's review of the TR-02 Request for Technical Revision:

1) Figure 2 / Exhibit C-8. There is well data shown of Figure 5 / Exhibit C-8 for the "Grubb" well. The Division could not locate the Grubb well on Figure 2. Please add the Grubb well location n Figure 2.

2) Figure 3 / Exhibit C-8. The Division requests clarification and/or explanation related to the following information presented on Figure 3:

    a. There is a precipitous drop (~15 ft) in groundwater elevation for wells located within the slurry wall (e.g., MW-1, MW-2, MW-3, MW-5, and MW-6) beginning about December 2008. The Division has insufficient records to determine if this drop in water level coincides with the slurry wall construction. Please provide documentation to confirm the beginning and end of the slurry wall construction. If this construction period does

not coincide with the lower groundwater elevation, please provide an explanation for the observed data.

b. There is another precipitous drop (~10 ft) in groundwater elevation for four of these same wells (e.g., MW-1, MW-2, MW-3, and MW-5) beginning about July 2009. Please provide an explanation for the observed data.

c. The data for MW-6 ends about March 2009. Is this well still functional? Was it abandoned properly? Please provide abandonment documentation.

d. The data for MW-10 ends about November 2003. Is this well still functional? Was it abandoned properly? Please provide abandonment documentation.

e. Please address the gap in data between May 2010 and March 2011.

f. Monitoring well MW-105 is in the vicinity of the property owners submitting the complaint regarding collapsible soils on October 29, 2013. The water level in MW-105 came up approximately 10 feet between March 2011 and May 2011. Some other wells (MW-6, MW-11, MW-101, and MW-103) show only a 2 to 3 foot increase in elevation and about a month later (~June 2011) when the water level in MW-105 is shown declining. Please comment on mine activities in this time frame that may have influenced this increase in water level.

3) Figure 4 / Exhibit C-8. Please address the gap in data between October 2010 and March 2011.

4) Figure 5 / Exhibit C-8. The Division requests clarification and/or explanation related to the following information presented on Figure 5:

a. There are four wells (Saldana, Linsenmann, Gale, and MW-13Obs) shown on Figure 2 for which no data is presented on Figure 5. Please provide this data or explain why well data for these wells is not shown.

b. The symbology selected to present water levels for the Grubb, Frazier, and Arrow Electric wells are indistinguishable from each other. Data from two of these wells is short term in nature (April 2013 to June 2013 and August 2013 to October 2013). Please discuss the reason for the limited data.

c. Data from the Lopez well is also short term in nature (October 2013 to November 2013). Please discuss the reason for the limited data.

d. Beginning about September 2012, several wells (MW-14, MW-14R, MW-13, MW-13R & one of the three indistinguishable wells described in Item 4b) have water levels that have dropped approximately 10 feet. The Division considers this a significant impact to the prevailing hydrologic balance pursuant to Rule 3.1.6(1). Please describe measures being implemented and/or considered to mitigate this impact on surrounding well owners.

5) Table 1 / Exhibit C-8. Six of the 12 listed well users (Stratman, Sabec, Hardy, Lopez, Linsenmann, and Arrow Electric) indicate no water supply improvements. Please explain why no improvements have occurred. The response should include a summary status of any negotiations, summary of any agreements in place, and reasons why improvements are not necessary or wanted. Also, please indicate whether there are any signed agreements with the well users for which water supply improvements have been made.

6) Table 2 / Exhibit C-8. One of the eight listed well users (Mravich) indicates no water supply improvements. Please explain why no improvements have occurred for this user. The response should include a summary status of any negotiations, summary of any agreements in place, and reasons why improvements are not necessary or wanted. Also, please indicate whether there are any signed agreements with the well users for which water supply improvements have been made.

7) The "Erosion and Fugitive Dust Control Plan for Stockpiles in the Pueblo East Pit" is adequate.

If you have any questions, please contact me.

Sincerely,

Timothy A. Cazier, P.E.
Environmental Protection Specialist

cc: Tom Kaldenbach, DRMS
DRMS file