



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

September 29, 2017

Mr. David Bieber
Rocky Mountain Materials and Asphalt, Inc.
C/O Martin Marietta Materials, Inc.
1627 Cole Boulevard, Suite 200
Lakewood, CO 80401

**RE: Red Canyon Quarry; DRMS File No. M-1985-043;
Possible Violation – Hydrologic Balance**

Dear Mr. Bieber:

On September 28, 2017 the Division of Reclamation, Mining and Safety (DRMS) was contacted by the Division of Water Resources (DWR) via telephone and email requesting clarification on exposed groundwater at the Red Canyon Quarry. Based on review of the email sent to Melissa Peterson (DWR) from Jeff Clark (BBA) and the September 14, 2017 BBA letter to Ms. Peterson, the DRMS believes a groundwater exposure problem exists at the sediment pond/pit identified in Figure 2 of the BBA letter. This sediment pond was incorporated into the Red Canyon Quarry permit in August 2000 with the approval of TR-01. However, the last major revision to clarify water information (Exhibit G) was in the 1986 conversion application in which the Exhibit G submitted clearly states “All excavation will be halted above the water table...”.

INFRACTION TOPIC: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: The Division has no evidence that the operator has a valid well permit, substitute water supply plan, or approved water augmentation plan for the exposed groundwater at the site. This is a problem related to 34-32.5-116(4)(h) of the Colorado Revised Statutes and 3.1.6(1)(a) of the Construction Materials Rules and Regulations governing injury to existing water rights.

CORRECTIVE ACTIONS: The operator shall demonstrate that the operation is in compliance with the Office of the State Engineer, show evidence that the operator is taking measures to bring the site into compliance with the SEO, or backfill the pits to at least two feet above the groundwater surface by the corrective action date specified.

CORRECTIVE ACTION DUE DATE: 10/30/2017

Please address this issue by the Corrective Action Due Date. If you have any questions or need further information, please contact me at (303)866-3567 x8169.

Sincerely,

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

ec: Wally Erickson, DRMS
DRMS file

