



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources

1313 Sherman St. Room 215
Denver, CO 80203

September 1, 2020

JC York
J&T Consulting
305 Denver Ave STE D
Ft Lupton CO 80621

RE: File M2008-017; Derr Pit; Technical Revision 07(TR07) – Revisions to Groundwater Monitoring Plan, Adequacy Review

Mr. York:

The Division of Reclamation, Mining and Safety received Technical Revision 07 on August 28, 2020. The decision date for this revision has been set for September 30, 2020. 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 must deny this revision.

DRMS has completed the initial adequacy review of TR07. As with most revisions, there are items that will require clarification of the existing information or submittal of additional information. The TR as submitted addresses proposed modifications to the existing approved groundwater monitoring plan for this site. The permittee wishes to remove several internal, on-site wells that have either been damaged, will be internal to the slurry wall upon completion, or will need to be removed in order to install the slurry wall. Internal wells to be removed from the monitoring plan have been listed in the TR request and depicted on the map provided.

With respect to the removal of the listed internal (on-site) wells from the groundwater monitoring plan, DRMS will likely approve this modification as proposed. Data from the remaining internal wells will continue to be reported on a monthly basis.

The current groundwater monitoring plan, as approved in TR05, requires monthly monitoring of several off-site, privately owned, domestic and irrigation wells as detailed in submitted agreements between the well owners and the permittee. Subsequent issues with the required monthly data collection from several private off-site wells were encountered when well



owners/tenants either denied access, or would not shut down running wells so that useful readings could be safely obtained - even though the date and time of data collection events had been provided (second Thursday of each month at this time).

Therefore, through the approval of TR07 the permittee wishes to modify the existing groundwater monitoring plan to remove the requirement for an off-site private well to be measured for any month the well owner/tenant either denies access, or refuses to shut down the well so that useful data can be safely obtained on the previously scheduled date.

DRMS would like to have some additional clarification for this proposed modification.

- What documentation will be provided to confirm that the attempt to measure the well was made on the agreed upon day/time, and that the owner/tenant either refused access or would not shut down the well to allow for measurement?
- How many months (especially consecutive months) will a well location be “skipped” due to lack of access or shut-down before it either invalidates the agreement between the permittee and landowner, or will necessitate that a revision be submitted to remove the well from the monitoring program?

This concludes the Division’s adequacy review of TR07. This letter shall not be construed to mean that there are no other technical issues in the submittal. Other issues may arise as additional information is supplied.

If you have any questions, please contact me at (303) 866-3567 x8140.

Sincerely,



Eric Scott
Environmental Protection Specialist