



P. O. Box 1887 • 702 Gregg Drive • Buena Vista CO 81211

Phone: (719) 395-3790 Fax: (719) 395-3794

February 22, 2022

Colorado Division of Reclamation, Mining, and Safety
Attn: Dustin Czapla
1313 Sherman Street, Room 215
Denver, CO 80203

RE: R.B Pit, File No. M-2022-002, Comment Regarding 112c Application Response

Mr. Czapla:

On February 18, 2022, ACA Products, Inc. (Applicant) received comments (*Exhibit 1*) from the Division of Reclamation, Mining and Safety (Division) for the above referenced application on the behalf of Colorado Division of Water Resources (DWR). The following jurisdictional issues are addressed:

1. Exposure of groundwater will not occur during or after mining operations.
2. Currently, a specific storm water detention and infiltration structure is not anticipated to be constructed as part of this project. The intention is to have the pit mined in a manner that prevents surface runoff (stormwater) from exiting the pit limits and allow natural infiltration of stormwater. However, the Applicant is currently in the process of obtaining a stormwater permit with Colorado Department of Public Health & Environment (CDPHE). If it is determined during this permitting process that a specific storm water detention and infiltration structure is needed, the Applicant will coordinate with DWR to ensure notification, construction and operation meets DWR's statutory and administrative requirements.
3. All water used on-site will be from our existing facility located at 702 Gregg Drive, Buena Vista, CO. At a point in the future, we may apply and construct an onsite well to obtain water. Water used onsite will be for dust control and will be minimal in quantity.

Do not hesitate to contact Blake Bennetts, ACA Products, if any further information is needed or any other questions arise.



"ASPHALT, CONCRETE, & AGGREGATES"

P. O. Box 1887 • 702 Gregg Drive • Buena Vista CO 81211

Phone: (719) 395-3790 Fax: (719) 395-3794

Sincerely,

A handwritten signature in blue ink that reads "Blake Bennetts". The signature is fluid and cursive, with the first name "Blake" and last name "Bennetts" clearly distinguishable.

Blake Bennetts, P.E.
Sales and Development Manager
ACA Products, Inc.
702 Gregg Drive; PO Box 1887
Buena Vista, CO 81211
Cell: (719) 248-4138
Email: bbennetts@acaproducts.com



P. O. Box 1887 • 702 Gregg Drive • Buena Vista CO 81211
Phone: (719) 395-3790 Fax: (719) 395-3794

Exhibit 1—Comment Letter

February 18, 2022

Blake Bennetts
ACA Products, Inc.
702 Gregg Drive
Buena Vista, CO 81211



1313 Sherman Street, Room 215
Denver, CO 80203

RE: R.B. Pit, File No. M-2022-002, Comment Regarding 112c Application

Mr. Bennetts:

On February 14, 2022 the Division of Reclamation, Mining and Safety (Division) received comments (copy enclosed) from the Colorado Division of Water Resources (DWR) regarding the above referenced application.

Please inform the Division of how the Applicant will respond to the jurisdictional issues presented by DWR. Please submit your response by March 3, 2022.

If you require additional information, or have questions or concerns, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dustin Czapla'.

Dustin Czapla
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
Phone: (303) 866-3567, ext. 8188





DRMS Recd:
2/14/22

Response to Reclamation Permit Application Consideration

DATE: February 8, 2022

TO: Dustin M Czapla, Environmental Protection Specialist

CC: Division 2 Office; District 11 Water Commissioner

FROM: Kate Fuller, PE

RE: R.B. Pit, File No. M-2022-002
Operator: ACA Products Inc
Contact: Blake Bennetts, (719) 395-3790
Sec. 36, Twp. 50N, Rng. 7E, N.M. P.M., Chaffee County

CONDITIONS FOR APPROVAL

- ☒ The proposed operation does not anticipate exposing groundwater. Therefore, exposure of groundwater must not occur during or after mining operations.
- ☒ The application materials indicate that a storm water detention structure will be constructed as a part of this project. The applicant should be aware that, unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.
- ☒ Other: All water used on-site shall be a legal supply of water provided by an appropriate supplier. The applicant shall confirm the legality of any proposed source of water supply with the Division of Water Resources prior to use in the operation.

COMMENTS: The local Water Commissioner, Willem Scott, may be contacted at (719) 221-0367 or Willem.Scott@state.co.us regarding legal water supplies in the area.

