



April 6, 2022

Morgan Grotzky
115 Birdie Dr.
Milliken, CO 80543

**Re: Loveland Ready-Mix Concrete, Inc., Dunn Pit, File No. M-2021-059,
Complaints Against Mining Application Response**

Mr. Grotzky,

The Division of Reclamation, Mining and Safety (Division/DRMS) received a folder of complaint letters, signed petitions and information delivered to the Division's office on March 31, 2022 regarding the Dunn Pit application submitted by Loveland Ready-Mix Concrete, Inc. (Applicant).

The complaint letters and petitions were not received within the public comment period for the application which closed on December 14, 2022. Therefore, the objection letters and petitions are considered untimely in accordance with Rule 1.7.1(2)(a). The Division will not require the Applicant to respond to the items discussed in the letters.

Notification Concerns

The Division determined the Applicant complied with all applicable notification requirements of Rules 1.6.2 and 1.6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. The Division will not require the Applicant to provide additional public notifications.

Truck Traffic Concerns

The Division's Act and Rules do not specifically address traffic, traffic safety and road impacts for roads located outside of a permitted mining operation. These issues are under the jurisdiction of Weld County and the Colorado Department of Transportation. These issues should be addressed through the permitting processes of Weld County and the Colorado Department of Transportation. The Division will forward your concerns to Weld County.

Air Quality Concerns

The Division's Act and Rules do not specifically address impacts to air quality. The issue of air quality is under the jurisdiction of Weld County and the Air Pollution Control Division (APCD) of the Colorado Department of Public Health and Environment (CDPHE). The Applicant is in the process of obtaining an Air Pollution Emissions Notice (APEN) from CDPHE. This issues should be addressed



through the Weld County permitting process. The Division will forward your concerns to Weld County and CDPHE.

If you have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,



Peter S. Hays
Environmental Protection Specialist

Ec: Jared Ebert; Division of Reclamation, Mining & Safety