

March 3, 2023

Amy Veek  
GCC Rio Grande, Inc.  
3372 Lime Road  
Pueblo, CO 81004

**RE: Adequacy Review No. 2; Technical Revision (TR-2) – Blasting Plan; Cedarwood Clay Mine, Permit No. M-1977-317**

Dear Ms. Veek,

On February 17, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received your responses to the Division's preliminary adequacy review dated December 27, 2022. After review of your responses the Division has identified the following items that need to be addressed.

1. The Permittee/Operator needs to commit to the following mitigation plan or propose their own mitigation plan for blasting at the site.

**Mitigation Plan**

If a structure owner contacts the Permittee/Operator notifying them of potential damage to their structure due to blasting at the site the Permittee/Operator will immediately notify the Division. A complaint may also be received directly by the Division. All blasting activities at the site will immediately cease until the complaint is resolved to the Division's satisfaction. A representative of the Permittee/Operator will visit the structure to start the investigation within 24 hours. During the investigation, the Division and Permittee/Operator will review the blast monitoring results prepared by the independent contractor. Other data and reports may be reviewed as necessary to help determine the cause of the damage.

If the damage is determined to have likely resulted from blasting, the Permittee/Operator will review the blasting log of the recent blasting activity and make modifications to future blasting as needed to reduce future damages from occurring. The Permittee/Operator and structure owner will determine the proper course of repairs to the structure. The Permittee/Operator will be responsible for all costs of repairs if it is determined that blasting was the cause of the damage to the structure.

If a well is determined to be damaged or "dry", or there is a change in water quality the Permittee/Operator, at their cost, will install a cistern and transport suitable replacement water from a local source to the property. The Permittee/Operator will begin this process upon notification of the complaint and continue to transport water to the property for the duration of the investigation. If it is determined that the Permittee/Operator is at fault, a new well producing a similar or greater quantity and quality of water as the original well will be drilled at the Permittee/Operator's cost. If it is determined that



the Permittee/Operator is not at fault, resolution of the issues will continue at the neighbor's expense. The Permittee/Operator will leave the temporary cistern and supply in place and available to the homeowner for 60 days or until the repairs/replacement are completed.

Please note the Division may also pursue enforcement actions as a result of affecting lands outside the permit boundary.

2. In Attachment 1, under the heading Potential Damage for Main Structures, the calculations for maximum charge weights at the site uses a minimum scaled distance of 54.49 ft/lb. However, in the preceding section it is stated that the Colorado Division of Labor blasting regulations require blasters to use a minimum scaled distance of 55 ft/lb when calculating maximum charge weights. Please clarify this discrepancy.

This concludes the Division's adequacy review no. 2 of your application. The Division reserves the right to further supplement this document with additional adequacy items and/or details as necessary.

The decision date for your application is set for **March 17, 2023**. If additional time is needed to respond, an extension request must be received by our Office by the decision date. If on the decision date, outstanding adequacy items remain, and no extension request has been received, your revision may be denied and the file terminated.

If you need additional information or have any questions, please contact me by telephone at **303-866-3567 x8114**, or by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

Sincerely,



Patrick Lennberg  
Environmental Protection Specialist

Attachment:

cc: Jared Ebert; DRMS  
Amber Michels, DRMS

ec: Amy Veek, GCC Rio Grande, [aveek@gcc.com](mailto:aveek@gcc.com)  
Rojo Jesus, GCC, [jrojo@gcc.com](mailto:jrojo@gcc.com)  
Dick Federico, GCC, [dfederico@gcc.com](mailto:dfederico@gcc.com)