



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

1313 Sherman St. Room 215
Denver, CO 80203

April 6, 2023

Steve Kelton
Ready Mixed Concrete / Brannon Companies
2500 Brannon Way
Denver CO 80229

RE: Permit M2001-046; Nix Sand and Gravel; Technical Revision 2 (TR2) –
Groundwater Monitoring Plan and Baseline Data Submittal, Adequacy Review 2

Mr. Kelton:

The Division of Reclamation, Mining and Safety received your adequacy response and two week extension to the decision date for Technical Revision 2 (TR2) on March 31, 2023. **The decision date for this revision has been set for April 17, 2023. 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 review of the adequacy response provided for TR2. As with most revisions of this nature, the provided material will require some clarification of the provided information or submittal of additional information before it can be approved. This review is based on the supplied adequacy responses, as well as subsequent conversations with Steve Kelton and Scott Legg.

Please provide the following information:

- 1) Please submit a Sampling and Analysis Plan (SAP) consistent with industry standards. An acceptable example of a Sampling and Analysis plan was previously provided to illustrate the type of information that should be provided. Please note, much of the site characterization information provided in the previous adequacy response (water level data, nearby active sites, well locations, groundwater contour map, etc.) can be utilized in the SAP.
- 2) A component of the provided SAP should be the identification of “baseline” monitoring points for the initial 5 quarters of baseline water quality data collection, as well as “Points of Compliance” (POC) and background monitoring locations for



follow-up annual water quality monitoring. Please include a brief discussion as to why the locations have been chosen. (Scott and I discussed this topic on April 6 in some detail, but if there are any further questions, please feel free to call me.)

Pursuant to Rule 3.1.7(6)(b)(i)(A), points of compliance shall be established at some distance hydrologically down-gradient from the facility or activity that is causing, or which has the potential to cause contamination, and selecting that distance closest to the facility or activity, considering the technological feasibility of meeting the requirements for protecting water quality:

- (I) a specified distance, as determined by Rule 3.1.7(6)(b)(i)(B);
- (II) the hydrologically down-gradient limit of the area in which contamination has been identified; or
- (III) the facility permit boundary.

DRMS suggests the installation of an additional water quality POC well in the NW corner of the site, as it is the most downgradient point in that area of the permit. Other appropriate POC wells should include MW6, MW5A, and potentially MW8 on the north end of the site.

- 3) Please provide reporting criteria and “trigger values” for potential water level deviation observed during monthly water level monitoring that may initiate additional investigation (for example water levels measured in a MW that are more than 2 feet above or below historic max/min levels observed for that well for more than 2 consecutive months).
- 4) After the 5 quarters of baseline data are collected, Brannan will be required to submit a Baseline Data Summary report as a Technical Revision. The Data Summary Report should include all water quality and water level data collected to date, identify any exceedances in Table Value Standards, and provide a rationale for observed exceedances, if possible.

This concludes the Division’s second adequacy review of TR2. This letter shall not be construed to mean that there are no other technical issues with the submittal. Other issues may arise as additional information is supplied.

If you have any questions, please contact me at (303) 229-9414, or by e-mail at eric.scott@state.co.us.

Sincerely,



Eric Scott
Environmental Protection Specialist