

STATE OF
COLORADO

Scott - DNR, Eric <eric.scott@state.co.us>

Fwd: FW: Complaint: Martin Marietta - Spec Agg Quarry

4 messages

Eric Olson <eolson02@gmail.com>
To: eric.scott@state.co.us

Thu, Jul 20, 2023 at 8:56 AM

Eric,

I hope this email finds you well.

I am writing to you today because I was told that you would be able to help me ensure that Martin Marietta Spec Agg Quarry is following the rules regarding air and noise pollution.

As a resident of the apartment building next to the quarry, I have been experiencing some serious problems with air and noise pollution. Every day, my car is covered in dust, and on some days, I can smell weird exhaust/burning/cement smells when I open my window.

In addition, the quarry is now operating past 11:30 p.m./midnight. This is causing a lot of noise and disruption in my sleep.

I am shocked that regulators ever allowed an apartment building to be placed next to a large mine like this. I am concerned about the health and safety of the residents of the building, and I would like to request your help in ensuring that the quarry is following the rules regarding air and noise pollution.

Here is video of them operating at 11:00 pm last night: <https://streamable.com/tgc4km>

Thank you for your time and consideration. -- Eric Olson

----- Forwarded message -----

From: **Anne Beierle** <ABeierle@cityofgolden.net>
Date: Thu, Jul 20, 2023 at 8:44 AM
Subject: FW: Complaint: Martin Marietta - Spec Agg Quarry
To: Eric Olson <eolson02@gmail.com>

Yikes. Typo in Eric's email. Should be eric.scott@state.co.us

Anne

From: Anne Beierle
Sent: Thursday, July 20, 2023 8:41 AM
To: Rick Muriby <rmuriby@cityofgolden.net>; Eric Olson <eolson02@gmail.com>
Cc: Council Comments <CouncilComments@cityofgolden.net>
Subject: RE: Complaint: Martin Marietta - Spec Agg Quarry

Mr. Olson,

The Colorado Division of Mining, Reclamation and Safety (DRMS) is the primary regulator of mining operations in the state. Eric Scott is the specialist at the DRMS for Jefferson County. You can reach him at 303-866-3567 x8140 or at eric.scott@state.co.us. While the city will continue to work with Martin Marietta regarding your concerns, the DRMS may also be helpful, particularly regarding dust.

Anne

Anne Beierle | Director

City of Golden - Public Works

1445 10th St | Golden, CO 80401

303-384-8153 | Direct | 303-384-8161 Fax

From: Rick Muriby <rmuriby@cityofgolden.net>

Sent: Thursday, July 20, 2023 8:29 AM

To: Eric Olson <eolson02@gmail.com>

Cc: Council Comments <CouncilComments@cityofgolden.net>; Laura Weinberg <lweinberg@cityofgolden.net>

Subject: RE: Complaint: Martin Marietta - Spec Agg Quarry

Mr. Olson,

I spoke to our Martin Marietta representative yesterday and he stated that the quarry itself does not operate that late, but that there are other operations on site that may be operating at that time. He is currently investigating the source of the noise that you are hearing and will be getting back in touch with me in coming days. Again, the City does not regulate mining operations, but Martin Marietta has been responsive to concerns in the past and is willing to work with the City to resolve issues to the extent that is possible.

I will contact you with new information once I receive it from Martin Marietta, but not until then.

Thank you,

[Rick Muriby](#)

Community Development Director

City of Golden

303-384-8098

From: Eric Olson <eolson02@gmail.com>

Sent: Wednesday, July 19, 2023 10:58 PM

To: Rick Muriby <rmuriby@cityofgolden.net>

Cc: Council Comments <CouncilComments@cityofgolden.net>; Laura Weinberg <lweinberg@cityofgolden.net>

Subject: Re: Complaint: Martin Marietta - Spec Agg Quarry

Hello,

Now the mine is operating at 11:00pm. Clearly, anyone in charge of noise/industry zoning does not care about the young people living in the apartment directly next to this mine.

Confluence Companies will not let me break my lease and never told me that a mine would be operating at night directly next to the their building. Some days, noxious fumes from the mine enter my unit when I open the window.

What a disastrous planning project it was to have people living next to a mine.

Eric Olson

On Tue, Jul 18, 2023 at 10:27 PM Eric Olson <eoilson02@gmail.com> wrote:

The mine is still operating at 10:30pm at night on July 18, 2023.

They could likely care less that young professionals are trapped trying to exist next to this, duped into a real estate developer's plan to place residents very close to a mine on some undesirable land for profit. It's dismal.

I'll be moving and taking my tax dollars far away from Jefferson County and Golden.

Eric Olson

On Tue, Jul 18, 2023 at 8:37 PM Rick Muriby <rmuriby@cityofgolden.net> wrote:

Mr. Olson,

Thank you for your comments, as your feedback is important to both Council and staff. The quarry has been in operation for several decades, and is projected to continue operations for an additional 30-40 years. The good news is that once the quarry ceases operations and performs all required reclamation on the site, they will be turning the land over to the City and County for future recreational use.

Regarding the quarry operations at Martin Marietta, this activity is primarily regulated by the Colorado Division of Reclamation, Mining and Safety, and not local municipalities or counties. The City does not have the ability to shut down quarry operations or sunset the quarry. This state's regulations include dust mitigation measures and noise restrictions, as well as numerous other aspects of their operations. The City's Municipal Code allows construction noise between the hours of 7am and 10pm. I am researching whether or not the state requires additional time constraints, but the mine generally operates between dawn and dusk, which is of course a longer time period during the summer months. If you feel that the noise level has recently increased over the normal noise level, I am happy to contact the operators and ask if there is any new activity taking place that may have caused an increase in the sound level. Also, if you are interested in finding out more about their operations or current state and federal mining regulations, that information can be provided as well.

Thank you,

[Rick Muriby](#)

Community Development Director

City of Golden

303-384-8098

From: Eric Olson <eolson02@gmail.com>

Sent: Tuesday, July 18, 2023 8:13 PM

To: Council Comments <CouncilComments@cityofgolden.net>; Laura Weinberg <lweinberg@cityofgolden.net>

Subject: Re: Complaint: Martin Marietta - Spec Agg Quarry

Attached, please find the mine's sounds at 8pm on a weeknight. How does Golden or Jefferson County allow this?

On Tue, Jul 18, 2023 at 8:03 PM Eric Olson <eolson02@gmail.com> wrote:

Hello,

The **Martin Marietta Spec Agg Quarry** has continued operating into the night again tonight, July 18, 2023.

I encourage you to visit **Aurum Apartments owned by Confluence Companies** at 8pm any weeknight to experience the sounds of this mine.

Thank you,
Eric Olson

On Mon, Jul 17, 2023 at 8:54 PM Eric Olson <eolson02@gmail.com> wrote:

Hello,

I am writing to you today to express my concern about the noise and dust pollution from the **Martin Marietta Spec Agg Quarry** near Aurum apartments in Golden, Colorado.

I understand that the quarry is a necessary part of the local economy, but I believe that the current operating hours are excessive and are causing significant disruption to the surrounding community.

On Monday, July 17, the quarry is still operating at 9:00 pm. This level of noise pollution is unacceptable, especially in a residential and hotel area. The constant noise and vibration from the quarry makes it difficult to work, concentrate, and enjoy the outdoors.

In addition to the noise pollution, the dust from the quarry is also a problem. The dust covers cars, homes, and businesses, and it can be harmful to breathe. I am concerned about the long-term health effects of living near the quarry. Is this company charged for the dust pollution and road damage it creates?

I urge you to consider the impact of the quarry on the surrounding community and to adjust the operating hours to minimize the noise.

I would also like to request that you develop a plan to sunset the quarry in the near future.

Thank you for your time and consideration.

With concern,

Eric Olson

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Eric Olson

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Eric Olson

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Eric Olson

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Eric Olson

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Eric Olson

Scott - DNR, Eric <eric.scott@state.co.us>
To: Phillip Courtney <Phillip.Courtney@martinmarietta.com>

Thu, Jul 20, 2023 at 1:24 PM

Phil-

I want to pass on to you the attached complaint that I received via email this morning regarding activity at the Spec-Ag site. These are clearly non-jurisdictional issues for DRMS, and I will respond to Mr. Olson accordingly, however I wanted to make sure you were aware of the potential issues he is having.

Eric Scott
Environmental Protection Specialist, P.G., R.G.



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

P 303.866.3567 x 8140 | F 303.832.8106
1313 Sherman Street, Room 215, Denver, CO 80203
eric.scott@state.co.us | <http://drms.colorado.gov>

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Scott - DNR, Eric <eric.scott@state.co.us>

Thu, Jul 20, 2023 at 1:49 PM

To: Eric Olson <eolson02@gmail.com>

Mr. Olson-

I received your email detailing issues you have experienced with the nearby Martin Marietta Spec-Ag. Quarry as well as the attached chain of correspondence between you and various representatives of the City of Golden.

I'm sorry that you've been receiving conflicting or erroneous information with respect to your issues. While it is true that DRMS issues the reclamation permit for the site, and has jurisdiction over many aspects of the on-site mining and reclamation plans, the issues you have detailed in your complaint (hours of operation, noise, dust, odors) have never been within DRMS jurisdiction. These issues, and many others, such as lighting, traffic, etc. have always been under local jurisdictions such as City of Golden/Jefferson County, and whatever permit conditions they have imposed on the site through their respective permitting processes. I'm sorry to say that the information provided by Mr. Muriby to the contrary is just wrong. That being said, I've forwarded your complaint to the DRMS contact for the site in the hope that they will be responsive to the issues you've detailed.

Air quality issues such as fugitive dust are primarily dealt with by the CDPHE Air Quality Control Division, and the permits they issue, however I'm not sure odors would be included?

Thank you,

Eric Scott

Environmental Protection Specialist, P.G., R.G.



COLORADO
Division of Reclamation,
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Eric Olson <eolson02@gmail.com>

Thu, Jul 20, 2023 at 1:52 PM

To: "Scott - DNR, Eric" <eric.scott@state.co.us>

I give up trying. Nobody in Colorado seems to care about people trapped living next to seemingly unregulated mines.

I'm moving away from this polluted state.

I cannot believe that anyone with interest in keeping the public healthy would allow a residential apartment building to be erected directly next to a large mine. The mine claims they're not aware of any nighttime operations, that it must be a "subsidiary" or "contractor." Hah.

Eric Olson

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Eric Olson