



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources
Rm 215
1001 E 62nd Ave
Denver CO 80216

October 16, 2023

Chris Zadel
Northern Colorado Constructors, Inc. Aggregate Div
9075 WCR 10
Fort Lupton, CO 80621

RE: Adequacy Review #1; Technical Revision (TR9); NCCI Pit #1 – File No. M-2001-107

Chris Zadel:

On October 5, 2023, the Division of Reclamation, Mining and Safety (Division) filed your Technical Revision request (TR-9) for the NCCI Pit #1, Permit No. M-2001-107. During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Please provide the following:

1. TR9 includes submittal of an updated monitoring well map. This shows the location of seven wells, labeled MW-Z1 through MW-Z7. Three of these wells are within the NCCI Pit #1 boundary and four wells are located to the south and west of the pit. The monitoring well map previously submitted to the Division in 2011 shows ten monitoring wells at the NCCI Pit #1 site, labeled MW#1 through MW#10. Baseline water levels for the original monitoring wells MW#1 – MW#10 were established using data collected from weekly measurements beginning January 1, 2007 through December 31, 2010. This data would accurately depict water levels at the site before any dewatering activities occurred. Baseline water levels derived from this data were approved under TR5. Water level data submitted with TR9 shows water level data for MW-Z1 – MW-Z7 beginning in August 2010.

Please clarify for the Division when, why, and how MW#1 – MW#10 were destroyed and why MW-Z1 – MW-Z7 were chosen to replace water level monitoring at the site. Please provide a rationale for how the new wells provide an accurate representation of water levels at the site under dewatered and non-dewatered conditions, since baseline non-dewatered conditions were originally set with data from 2007 – 2010 and conditions at MW-Z1 – MW-Z7 begin in 2010.

2. Page 1 of the submitted hydrologic report states that as of November 2020 the south pit at the NCCI Pit #1 site has, “been dewatered by pumping for approximately the last 10 years”. To allow the Division to more precisely interpret monitoring well water level data, please provide the exact month and year that dewatering begin at the NCCI Pit #1 south pit. The



site was permitted in 2001. If de-watering did not occur in this year, please explain why.

3. The baseline levels for the original monitoring wells MW#1 – MW#10 were established using data collected from weekly measurements beginning January 1, 2007 through December 31, 2010. The Division is of the understanding that this data would depict water levels at the site before any dewatering activities occurred. Baseline water levels derived from this data were approved under TR5. In order to accurately determine a change in water levels at the NCCI Pit #1 from pre-mine to post-mine conditions, the Division would need to compare current data from MW#1 - #10 to this baseline data. However, since data from these wells is not available, please clarify for the Division how potential water level impacts are being monitored at the site. Who is conducting water level monitoring? Is NCCI tracking this information in order to adhere to the trigger level stipulation approved under TR5. For reference, this stipulation reads: “NCCI will notify the Division in writing within 48 hours in the event the monthly averages of any of the monitoring wells exceeds the upper or lower levels by 24 inches for three consecutive months.”
4. Page 10 of the submitted hydrologic report states “We again used a predevelopment run with no pits present for a baseline reference case (pre-development conditions). We selected the late July 2019 water table as the baseline month for the change comparison (Figure 9) since late summer is when we expect the highest water levels west of the NCCI pits due to recharge from LDC and LBD which is also when we expect the highest drain flow. This is the baseline against which changes are evaluated in the remainder of this report.” Please clarify what conditions Figure 9 and the 2019 data used to create it represents. Does this figure show pre-development and pre-dewatering conditions? Post slurry wall construction conditions? De-watered conditions?
5. The Division will continue its review with additional comments forthcoming from Patrick Lennberg. Additional comments will follow in separate adequacy letters.

Please submit your response(s) to the above listed issue(s) by Monday, **October 23, 2023**, in order to allow the Division sufficient time for review. If you cannot address the above issues by October 23, 2023, please request an extension to the decision due date in order to ensure adequate time for the Division to review the materials. A decision due date of November 6, 2023 has been set. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please feel free to contact me at 720-868-7757 or hunter.rildey@state.co.us

Sincerely,
Hunter C. Ridley

A handwritten signature in blue ink that reads "Hunter Ridley". The signature is written in a cursive style with a large initial "H" and a stylized "R".

Environmental Protection Specialist
CC: Michael Cunningham, DRMS