

STATE OF
COLORADO

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Re: Pit 29 M-1980-183 Problem Cited and Corrective Action Required

Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>

Wed, Jan 31, 2024 at 12:22 PM

To: Brad Hagen <brad@civilresources.com>, permits@brannan1.com

Cc: Amy Eschberger - DNR <amy.eschberger@state.co.us>, "Lennberg - DNR, Patrick" <patrick.lennberg@state.co.us>

Hi Brad.

Please see the attached response to your January 23, 2024 letter. A hard copy will not be mailed unless specifically requested.

If you would like to arrange a meeting to discuss the Division's concerns and a path to move forward, please suggest some days/times that work for you and the Operator and I will be happy to set up a virtual meeting with representatives from our Division.

Kind regards,

Nikie Gagnon**Environmental Protection Specialist****COLORADO**
Division of Reclamation,
Mining and Safety
Department of Natural ResourcesOn Tue, Jan 23, 2024 at 11:12 AM Brad Hagen <brad@civilresources.com> wrote:

Good morning Nikie. I had drafted this letter in Response to your previous letter but was awaiting Client review/approval before sending it when I received this latest email. I hope you will consider the information included in the attached letter and maybe we could have a zoom call or something to discuss if something is not clear. The letter, back & forth can be lead to conflicting positions but I think we can figure out a good plan to move forward with. I did correct a statement about historic water levels, which we don't seem to have since the slurry wall was installed in the 2004-2005 timeframe according to Fred (Brannan) and Drew with United (storage facility owner).

Emily with Brannan is working on the data table and graph you asked for and will forward that soon.

Brad

C: 303.913.5333

From: Gagnon - DNR, Nikie <nikie.gagnon@state.co.us>
Sent: Thursday, January 18, 2024 11:21 AM
To: Fred Marvel <fmarvel@brannan1.com>; Brad Hagen <brad@civilresources.com>; Emily Schallenkamp <eSchallenkamp@brannan1.com>; Amy Eschberger - DNR <amy.eschberger@state.co.us>; Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>
Subject: Pit 29 M-1980-183 Problem Cited and Corrective Action Required

Hello.

Please see the attached letter citing a problem for disturbances to the prevailing hydrologic balance at Pit 29.

A hard copy will not be mailed unless specifically requested. Please reach out to me if you have any questions regarding this matter.

Respectfully,

Nikie Gagnon

Environmental Protection Specialist



P 303.866.3567 x8126 | C 720.527.1640 | F 303.832.8106

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

nikie.gagnon@state.co.us | <https://www.drms.colorado.gov>

 **M1980-183_Pit 29_DRMS Response to Jan 16 ltr.pdf**
279K



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

January 31, 2024

Fred Marvel
Brannan Sand and Gravel Company, LLC
2500 East Brannan Way
Denver, CO 80229

RE: Pit 29, Permit No. M-1980-183, Operator's Response to January 16, 2024 DRMS Letter

Dear Mr. Marvel:

On January 23, 2024, the Division of Reclamation, Mining and Safety (Division) received your response to its January 16, 2024 letter requesting additional information pertaining to the groundwater monitoring results for the site.

The Division has the following comments regarding your response:

- 1) The Division requested the “observed pre-project east of Pit 29” groundwater monitoring data that is referred to in the operator’s December 7, 2023 response be submitted by February 15, 2024. In its recent response, the operator states it was mistakenly indicated that historic data (pre-mining) was available. No further information is requested at this time.
- 2) The Division requested the operator revise and resubmit its 4th Quarter 2023 Groundwater Level Monitoring Report to meet the specified requirements by February 15, 2024. The recent response states the revised report will be provided under separate submittal. Once received, the Division will review the report and notify the Operator of any questions or comments it might have.
- 3) In its recent response, the operator included additional comments pertaining to groundwater at the site. Please be advised, per the Division’s January 18, 2024 letter, a problem has been cited per Rule 3.1.6(1) with required corrective actions to submit a Technical Revision with a groundwater model mounding and shadowing analysis and a proposed mitigation plan (based on the groundwater analysis and available site monitoring data) to address groundwater mounding on the east side of the permit area. This revision must be filed with the Division by March 17, 2024. The Division encourages the operator to include any analyses of groundwater monitoring data at the site and potential causes for the observed changes in groundwater levels since the 2018 slurry wall repair in the required revision submittal. Once received, the Division will review the information and notify the operator of any questions or comments it might have through the adequacy review process.



- 4) In its recent response, the operator inquired about groundwater monitoring data obtained from the adjacent mine permit, Henderson Development (Permit No. M1980-110; also referred to as "Sandy Acres"), which is operated by E-470 Public Highway Authority. Please note, all groundwater monitoring data reported for this site is available for public review on the Division's website, specifically at <https://dnrweblink.state.co.us/drms/search.aspx>. To access all permit files for the site, enter the permit number in the "Permit No" field with no dashes or spaces like this "M1980110" and hit Enter. Once the permit files load, they can be ordered by date by clicking on the "Doc Date" column header.

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8126 or by email at nikie.gagnon@state.co.us.

Sincerely,



Nikie Gagnon
Environmental Protection Specialist

Cc: Brad Hagen, Civil Resources, LLC
Emily Schallenkamp, Brannan Sand and Gravel Company, LLC
Patrick Lennberg, DRMS
Amy Eschberger, DRMS