

March 1, 2024

Timothy Cazier and Hunter Ridley
Environmental Protection Specialist
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Portland Limestone Quarry – File M-1977-344
Reply to Second Adequacy Review

Dear Mr. Cazier and Ms. Ridley:

Please accept this correspondence as response to the second adequacy review of the amendment application submitted on behalf of Holcim (US) Inc.

GENERAL COMMENTS

1. **Proof of Required Notices**: The response was not adequate. The newspaper publication notice met the requirements of Rule 1.6.2(1)(d). However, Rule 1.6.2(1)(e)(ii) requires notice be sent to all owners of record of lands that are within 200 feet of the boundary of the affected land (*this includes the existing BCQ affected area, as well as the additional proposed affected RCQ area*). The submittal did not include a demonstration of having noticed landowners within 200 feet of the Bear Creek Quarry boundary. If these adjacent landowners have been notified, please submit Certified Mail Return Receipt Requested receipts. If they have not been notified, you will need to notify them, submit the Certified Mail Return Receipt Requested receipts to the DRMS and request an extension to the DRMS decision date to be at least 20 calendar days after all these landowners have been sent notices, pursuant to Rule 1.7.1(2)(a), prior to the decision date.

Response: Provided herein are the Certified Mail Return Receipts for property owners within 200 ft. of the affected area of Bear Creek Quarry.

6.4 SPECIFIC EXHIBIT REQUIREMENTS – REGULAR 112 OPERATION

6.4.1 Exhibit A- Legal Description

2. **Affected Area Boundary**: The response was not adequate. Typos were noted in the PLSS description for the RCQ. The excerpt below from the third page of Exhibit shows the necessary corrections:
 - Section 19, Section 20, Section 29, and Section 30, T20S, ~~R57W~~ **R67W** of the 5th ~~6~~th P.M., County of Pueblo, State of Colorado, together with Section 24 and Section 25, T20S, R68W of the 5th ~~6~~th P.M., County of Fremont, State of Colorado.

Response: The legal description is corrected.

6.4.3 Exhibit C- Pre-Mining and Mining Plan Maps

3. Boundary Buffer irregularities: The response requires additional information. The requested changes and edits were adequate. However, the new figures showing the Bear Creek Quarry portion of the permit did not include the identification of landowners within 200 feet of the affected area boundary. Pursuant to Rule 6.4.3(a), both adjoining surface owners of record and owners of the affected land must be shown on Exhibit C maps. Please make the necessary updates and resubmit Exhibit C maps.

Response: Landowners within 200 ft. of the permit boundary are identified on the BCQ Exhibit C maps.

4. Structure owners: The response requires additional information. The requested changes and edits were adequate. However, the new figures showing the Bear Creek Quarry portion of the permit did not include structures on the area of affected land nor those within two hundred (200) feet of those boundaries (the gas line that runs through the north end of the BCQ, for example). Pursuant to Rule 6.4.3(b), please make the necessary updates and resubmit Exhibit C maps.

Response: Owners of structures within 200 ft. of the permit boundary are identified on the BCQ Exhibit C maps.

6.4.7 Exhibit G- Water Information

5. Groundwater and Surface Water Baseline Study: The response was adequate. *{Note: due to the baseline exceedances of WQCD Regulation 41 standards, the DRMS has scheduled a meeting with Holcim on February 15, 2024. We will discuss an appropriate path forward during the meeting}*

Response: Exhibit G, Section 2.7.3.1 is revised to include a description of the extended baseline water quality study. The study will be extended for calendar year 2024, collecting samples four quarters of both groundwater and surface water. Constituents that were below detection levels during the five quarter study and/or did not have a water quality standard were removed from the analytical suite.

During the baseline extension monitoring quarters and interim semi-annual monitoring (described in Item 6), the analytical suite for both surface water and groundwater will be reduced by those constituents that were below detection limits and/or do not have a water quality standard. The constituents that will be removed from the analytical suite are provided in the Table 2.7.3.1-1 below.

In addition, Appendix 4.6 Red Creek Groundwater Modeling Analysis is revised to include additional cross sections of contours prior to and after reclamation.

Table 2.7.3.1-1: Justification for Analyte List Reduction			
Surface Water		Groundwater	
Analyte	Reason	Analyte	Reason
Ammonia (as N)	No Water Quality Standard	Ammonia (as N)	No Water Quality Standard
Total Phosphorus, Dissolved	93% below detection limit	Total Phosphorus, Dissolved	No Water Quality Standard
Oil and Grease	100% below detection limit	Oil and Grease	No Water Quality Standard
Mercury, Total	100% below detection limit	Mercury, Total	No Water Quality Standard
Mercury, Dissolved	100% below detection limit	Mercury, Dissolved	100% below detection limit
Hexavalent Chromium	100% below Water Quality Standard	Hexavalent Chromium	No Water Quality Standard
Trivalent Chromium	100% below Water Quality Standard	Trivalent Chromium	No Water Quality Standard
Radium 226	No Water Quality Standard	Radium 226	100% below detection limit
Radium 228	No Water Quality Standard	Radium 228	100% below Water Quality Standard
2-Chlorophenol	No Water Quality Standard	2-Chlorophenol	100% below detection limit

6. Sampling and Analysis Plan: The following response is the result of the February 15, 2024 conference call. No additional written comments were received from the Division.

Response: Exhibit G, Section 2.7.4.1 is revised to describe groundwater and surface water sampling after completion of the baseline study. Semi-annual sampling and monitoring is proposed from the end of the baseline study until two calendar quarters prior to commencement of mine development in Section 24. Semi-annual monitoring will use the reduced analytical suite approved by the Division for the extended baseline monitoring of 2024. Two calendar quarters prior to entering Section 24, quarterly monitoring and sampling will recommence with the full analytical suite provided in the section tables.

Section 2.7.4.2 Points of Compliance is revised to include the location of two POC wells. POC-1 will be constructed prior to commencement of mine development in Section 24.

New Comments

7. Vehicle and Wildlife Protection: Providing the KMZ file enabled a more detailed review of potential impacts related to the MTAC alignment. The proposed conveyor alignment crosses FCR 112, the access/haul road to Ranch Land Rock Pit #2 (Permit ID # M-2003-021), a few two-track ranch access roads, the Minnequa canal and over a dozen drainage wildlife crossings. The chain link fence terminates at all these locations to allow traffic and wildlife passage. Please describe or provide designs for how material transported on the conveyor is prevented from landing on vehicles or wildlife if it were to fall off the conveyor belt.

Response: The elevated conveyor will be constructed with fiberglass or metal plates under the elevated belt to prevent material from falling from the moving conveyor onto vehicles, animals and people in the vicinity of the moving belt. The plates will be regularly inspected and cleaned to avoid material piling and structure deterioration.

8. MTAC Road Culverts: The proposed wildlife crossings for the conveyor system appear to coincide with natural drainage ways. Will culverts be a part of these crossings to facilitate light truck traffic? If so, how will these culverts be adequately sized?

Response: Where culverts are necessary, they will be sized by the engineers that design the crossings.

Please feel free to contact me directly with any questions.

Respectfully submitted,



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Cc: Hamza Mekhfi – Portland Plant Manager
Timothy Smith – Portland Plant – Quarry Manager
Angela Belantoni – Environmental Alternatives, Inc.