



June 3, 2024

Jeffrey Jacoby  
Schmidt Construction Company  
2635 Delta Dr.  
Colorado Springs, CO 80910

RE: Menzer Quarry – File No. M-1976-009HR, Technical Revision (TR-2), Update to mining and blasting plan

Dear Jeffrey Jacoby:

On May 23, 2024 the Division of Reclamation, Mining and Safety (Division) filed your Technical Revision request (TR-2) for the Menzer Quarry, Permit No. M-1976-009HR. 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:

### **Mine Plan Update**

1. Technical Revision application TR-2 was submitted in response to a problem cited in the February 21, 2024 inspection report for the Menzer Quarry. This problem citation was prompted through review of the site's Annual Report submitted in December of 2023 which indicated a planned expansion into of the southeast corner of the pit, but within the allowed affected acreage boundary. During the inspection, a determination could not be made as to whether the current bond amount accounted for this southeastern expansion or not. Therefore, the Division requested a TR to clarify the mining plan for this area so as to better assess the accuracy of the bond amount.

The three maps and other materials submitted with this TR application do not appear to reference any plans to mine the aforementioned southeastern corner, even through year 10 of the plan. Please clarify for the Division if the southeastern corner referenced to in the 2023 Annual Report is still planned to be mined at the site. If so, the Division will need to receive mine plan information for this specific section of the site.

### **Blasting Plan**

Pursuant to Rule 6.5(4) an operator who proposes blasting is required to provide an appropriate blasting, vibration, geotechnical and structural engineering analyses that off-site areas will not be adversely affected by blasting. While the Rules do not provide details of the exact type of analysis or demonstration that needs to be conducted, the Division typically follows the protective



standards accepted by the Office of Surface Mining, Reclamation and Enforcement and the Colorado Dept. of Labor and Employment, Division of Oil and Public Safety Explosives Regulations (Colorado 7 C.C.R. 1101-9). Therefore, the following adequacy item references requirements from the above sources.

2. Pursuant to Rule 4.08.2(1), At least 30 days before initiation of blasting, the operator shall provide written notification to all residents or owners of dwellings or other structures located within one-half mile of the permit area which explains how to request a preblasting survey. Please provide the Division with a list and simple map of any dwellings or structures located within one-half mile of the permit area. If no structures or dwellings are located within this radius, please state this.

Please submit your response(s) to the above listed issue(s) by **June 12, 2024**, in order to allow the Division sufficient time for review. If you cannot address the above issues by such date, 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 June 21, 2024 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.ridley@state.co.us](mailto:hunter.ridley@state.co.us)

Sincerely,  
Hunter C. Ridley



Environmental Protection Specialist  
CC: Zach Trujillo, DRMS