

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

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03 July 2013

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Governor

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Ben Langenfeld, P.E.
Greg Lewicki and Associates, PLLC
11541 Warrington Court
Parker, CO 80138

**Re: New Horizon North Mine – Permit No. C-2010-089
Technical Revision No. 2 (TR-02) – Overburden Blasting
Preliminary Adequacy Review No. 2**

Dear Mr. Langenfeld:

The Division issued a preliminary adequacy review (PAR) of the TR-02 application on June 20, 2013. An adequacy response was received from your office, on behalf of Western Fuels-Colorado, LLC (WFC) on June 27, 2013. The response package included revised Section 2.05.3(6)(a) Overburden Blasting, together with Attachments 2.05.3(6)(a)-1 through -5 and Map 2.05.3(6)(a)-1 Blast Notification – ½ Mile Radius.

We have reviewed the materials submitted, and while most of the adequacy items identified in the PAR have been resolved, a few issues remain to be addressed. The original items are listed below, for continuity, with comments regarding the status of each.

1. **DRMS 06/20:** The proposed permit text is organized in such a way that direct comparison with the rules has proved to be a challenge. We are therefore unable to verify that the application adequately addresses a number of the specific requirements. What follows is a list of those rules that do not appear to have been addressed in the application:

2.05.3(6)(a)(ii), (iv), and (v); 4.08.1(4); 4.08.2(3); 4.08.3(1)(b); 4.08.3(3)(a); 4.08.4(1)(b); 4.08.4(6)(c); 4.08.4(7); 4.08.4(9); 4.08.5; and 4.08.6(1) and (2)

Please review the proposed text, and clarify or revise, as appropriate.

DRMS 07/03: The text sub-headings have been modified to reference the rule(s) that are addressed within each section. This is a significant improvement. The majority of

rules listed in the Division's June 20 PAR have now been satisfactorily addressed within the text of the section. Exceptions are addressed individually in new adequacy items, below.

2. **DRMS 06/20:** Please identify, on the map and in the text, which structures are located within 1,000 feet of blasting operations.

DRMS 07/03: *Map 2.05.3(6)(a)-1 has been revised to include lines delineating 500 feet and 1000 feet from the blasting operations. Please add these two line types to the map's Legend.*

New Adequacy Items

3. In the second paragraph of 1.0 Introduction, please include a statement that there is no active underground mining within 500 feet (4.08.4(9))
4. The last sentence in 2.0 Pre-blast Surveys indicates that copies of the pre-blast survey results will be supplied to the Division within 90 days of completion. Have pre-blast surveys been conducted already? The Division has not received any results for this mine.
5. The 4.0 Blast Design section indicates that it covers Rule 4.08.6(2) (Seismographic Measurements), but this rule does not appear to have been completely addressed. Please revise the text to incorporate a plan for submitting records to the Division for review prior to approval of using a modified equation, and commitments regarding the limitation and level of confidence.
6. In the first full paragraph on Page 5, there is language from 4.08.4(10) that is missing and should be added to complete the topic.
7. In 9.2 Ground Vibration, the last sentence refers to maximum allowable *air blast* limits. Air blast is addressed under 9.1. Please review, and revise this sentence to refer instead to *Peak Particle Velocity* limits, if appropriate.
8. In 9.3 Fly-Rock, the phrase, "including blasted material traveling along the ground" needs to be added after "fly rock" in the second sentence.
9. In 10.0 Blasting Schedule, the middle of the first paragraph on Page 9 directs the reader to Appendix 2.05.(6)(a)-1 [2.05.3(6)(a)-1 is probably intended] for an example notice. That appendix is reserved for Pre-Blast Survey. Please create a separate appendix for the various Public Notice items, so they may be more readily accessed.
10. Blasting signs are covered under 12.0. Please include a reference to Rule 4.02.6 for this section, and revise the first paragraph to address all of the requirements of that rule.

11. Under 14.0 Records, two new sections have been added, 14.1 and 14.2, which identify the structures within 1000 feet and 500 feet of blasting operations. The Division believes that this information, together with the last three sentences of the first paragraph, would be more appropriately situated in Section 3.0 Seismic Monitoring. Please consider relocating these portions.
12.
 - a) In 4.0 Blast Design, Rule 4.08.4(10) is listed twice.
 - b) For 5.0 Production, please add a reference to Rule 4.08.4(10), if appropriate.
 - c) For 7.0 Explosive Storage, please add a reference to Rule 2.05.3(6)(a)(viii), if appropriate.

This concludes the Division's Preliminary Adequacy Review No. 2 for TR-02. Please respond to these items at your earliest convenience. You are welcome to contact me with any questions you may have.

Sincerely,



Marcia L. Talvitie, P.E.
Environmental Protection Specialist

cc: Doug White, Western Fuels Association, Inc. (Email)
Ross Gubka, Western Fuels-Colorado, LLC (Email)
Sandy Brown, DRMS