



PROGRESSIVE CONTRACTING INC.

GENERAL ENGINEERING CONTRACTING

"Good honest work - Old fashioned pride"

February 28, 2025

Iron County Planning Commission

Dear Commissioners,

We have received copies of the response letters from residents and landowners in the Modena Canyon/Hamblin Valley area.

While we understand the concerns, we do not agree that all of the issues are relevant. Most of the issues stated will be addressed in the permitting process of the mine through the Division of Oil, Gas and Mining, Department of Air Quality, MSHA, and the BLM. These concerns are recognized and are dealt with anytime a mine is permitted on BLM land.

See below for our responses to the items sent out to the residents for their comments.

1- Added traffic to Modena Canyon Road: Traffic is a big concern brought up in the responses. Comments have been made that having to follow large, slow moving trucks will make it difficult to get up and down the canyon.

With the improvements that PCI will be making to the road it will in fact make it easier, safer and more likely faster for the public to travel. The speed limit on the road is currently 45 miles per hour. With the current condition of the road 45 MPH is not a reasonable and safe speed to travel. Once the road is improved it will be possible to travel the road at the speed limit safely and comfortably. The idea that our trucks will slow down traffic is not reasonable as they will easily be able to maintain the speed limit. For those wanting to travel faster than the speed limit they do so at their own risk.

Some people expressed concern about the ATV/UTV riders on the road. It needs to be pointed out again that this is a County Road open to the public. Any roads that the County allows offroad vehicles to travel are subject to the same traffic rules as any County Road. There are many ATV/UTV designated routes in the Cedar City Valley. Riders on these roads are exposed to considerably more traffic than they will ever see on Modena Canyon Road, much of which is heavy truck traffic. It is the responsibility of the riders to operate their vehicles in a safe manner considering all traffic and conditions.

The concerns that Law Enforcement, EMS, Fire, Wildfire, Search and Rescue responses to the area will be delayed are simply without merit. The improved road will provide quicker response times since the vehicles will be traveling on a much better road. Our trucks will not impair their speed any more than any vehicle on the road would. Our drivers know to pull over when being overtaken by a vehicle with lights and sirens as we would hope anyone on the road would do.

The County would have no more liability for anyone involved in an accident on the road than on any other County Road.

2- Existing Condition of Modena Canyon Road: Everyone agrees that the current condition of the road is not acceptable. PCI has agreed with the County to improve the road as a condition to receive a Conditional Use Permit.

3- Ambient dust from mining operation and road traffic: We will be maintaining the road which will require us to use dust control measures. Currently there is no dust control on the road, so whatever traffic may be increased by our operation the dust problem will be less than it is presently.

The dust from our mining operation will be monitored by the Division of Air Quality. They have guidelines in place that we will need to adhere to. Violations of these guidelines involve substantial fines.

4- Unknown environmental concerns associated with pozzolan: Most of the public responses talk about the effects that the Pozzolan dust may have on residents' health. One of the big concerns is the inhalation of the silica that is present in the Pozzolan. They refer to MSDS or SDS sheets that are published stating all of the risk factors.

As with any substances that employees or the public may be exposed to the MSDS/SDS information lists the possible dangers and effects that exposure to the item may cause. By nature, the worst case scenarios are cited. Much like the possible side effects of any prescription drug that you may be taking as prescribed by your doctor. If you read the list of symptoms or side effects that could possibly happen, you would never take any prescribed or over the counter medications.

The respondents refer to Crystalline Silica which is associated with silicosis. Pozzolan is made up primarily of Amorphous Silica which has not been connected to silicosis. It can cause skin and eye irritation, and precautions must be taken to mitigate these risks.

There is understandable concern over silica toxicity in pozzolan. There is also considerable misunderstanding as to the nature of the silica. Not all silica (SiO_2) is created equal. Crystalline silica (primarily quartz) has been associated with significant airborne health hazards throughout the history of mining and construction. There is no disputing that. Federal and state government agencies recognize that and have restrictions and guidelines in place for monitoring and mitigating airborne hazards in order to protect both employees and the public from such hazards.

Natural, volcanic pozzolan deposits are high in silica, but the majority of the silica is of the "amorphous" type, and not crystalline. Amorphous silica does not cause silicosis and cancer.

Nevertheless, small percentages of quartz can occur in natural pozzolans, and strict adherence to safety guidelines will be mandatory.

PCI would never knowingly expose our employees or neighbors to significant health hazards. Nor would we create an airborne hazard for our neighbors. The simple fact is that the same pozzolan and high silica volcanic rock that make up that whole mountain range has been eroding for millions of years. That road and its dust are composed of the same material.

PCI's proposal to gravel the road, control erosion and mitigate dust results in a net benefit.

PCI has submitted samples of the pozzolan to specialized environmental labs for analysis and characterization of the silica. The results show that 70.15% of the pozzolan is Silicon Dioxide (SiO₂). 1.5% of the Silicon Dioxide is Crystalline Silica which means that less than 1% of the mined material will contain Crystalline Silica.

Quoting Rockwell Labs:

“While crystalline silica can be harmful, synthetic amorphous silica is not associated with silicosis and does not contain the potentially harmful crystals. Amorphous silica does have drying properties. Inhaling it can be irritating but not dangerous. To avoid this irritation, it is best to wear a dust mask during application. Amorphous silica comes in many forms and grades and has multiple functions. It is used in a variety of industries, and the FDA includes it on its Generally Recognized As Safe (GRAS) list.”

Source: <https://rockwelllabs.com/2024/05/20/crystalline-silica-vs-amorphous-silica/>

From Texas Commission on Environmental Quality:

“The International Agency for Research on Cancer (IARC) concluded there is inadequate evidence in humans that amorphous silica and SAS cause cancer, so amorphous silica has not been classified as causing cancer in humans”

Source: https://www.tceq.texas.gov/downloads/toxicology/dsd/fact-sheets/amorphous_silica.pdf

In any type of mining or construction you will find substances that you need to take steps to avoid excessive exposure.

Cement is a common construction material and when you read the SDS sheets it tells you that it can cause cancer, chemical burns, eye damage and respiratory issues even Silicosis. In spite of these possible dangers, we have learned how to handle the material safely and it is used in construction worldwide.

PCI currently mines gypsum, barite, perlite and various types of aggregates. The SDS sheets for each of these items list skin, eye and respiratory irritations as possible hazards when exposed to them, as do iron ore, copper and many other substances that are common in the mining industry. We do not choose to not mine and produce these products, we use the necessary precautions to reduce the hazards.

5- Safety to people, livestock, and wildlife in the area: When the term “Open Pit Mining” is used people envision a large deep hole in the ground with steep sides that someone could fall into or drive a vehicle off the edge. All excavations will be no steeper than a 2:1 slope which is easily walked on, and a vehicle could drive down with no problem.

We do not anticipate fencing the site as we have several mining sites currently in operation that are not fenced and there have been no safety issues at these sites.

The safety and air pollution concerns are addressed by MSHA and the Division of Air Quality, we are strictly governed by their requirements.

6- Mining operations: Our mining operation will consist of using large Dozers (Caterpillar D-9 or larger) to rip the material as opposed to blasting. This is a much more cost effective way of extracting the material. Blasting tends to mix the sought after material with undesirable materials which then requires segregation of the mined materials. In the event that blasting is required we have highly qualified and certified personnel that are very cognizant of the safety requirements involved in blasting. Once the Pozzolan is extracted large excavators will load the material on rock trucks which will haul it to the crusher. Once crushed the Pozzolan will be stockpiled for loading onto haul trucks.

Some comments were made regarding tailings piles and chemical contamination.

The only “tailings” will be the overburden of natural soil that we will need to remove to access the Pozzolan. In some cases, the Pozzolan is at the surface with no overburden, in other cases we may need to remove and stockpile some of this soil. This material will be used in the reclamation of the mined areas, the top 1’-2’ will be segregated and reused as topsoil in the reclaimed areas.

There will be no chemicals used in the mining or processing of the Pozzolan. Once the overburden is removed the Pozzolan material will be mined, crushed and loaded on trucks. No further processing will be done at the site.

7- Water resources and limitations of availability: The water for the project will be from a well in the Escalante Valley owned by Bob Holt. PCI has water rights in the Valley that will be transferred to this well. If additional water is required Mr. Holt has ample water rights that he is willing to lease to us in order to meet the demand.

PCI has several 10,000 gallon tankers and 4000 gallon water trucks that will be adequate to handle the dust control for the road and also the requirements of the mine.

8- Groundwater protection and storm drainage in the area: On the question of ground water contamination and storm water runoff, since we will not be using any chemicals in our mining or crushing process there is nothing to contaminate the ground water that hasn’t been there for millions of years eroding into the ground and surface water. The storm water runoff will follow natural drainage channels, and we will grade our site to drain accordingly.

9- Protection of “ Ghost Rock”: The concerns about us damaging the Ghost Rocks formation were addressed in the meeting with the Planning Commission and it was stated that we would maintain a minimum 200’ setback from the Modena Canyon Road and a minimum of 100’ buffer around the Ghost Rock formation.

10- Light Pollution: It is not our intention to operate at night. In the event night work is necessary we will utilize downward directed lighting to minimize the light that is visible from the mine.

11- Archeological considerations: Many responses addressed issues of wildlife, environmental, artifacts, pollution, visual pollution etc. As we have stated previously, this mine is being proposed on BLM land. The BLM does their own environmental, archaeological, artifact and impact studies. We cannot move forward with this project until the BLM has completed their evaluations and gives us a permit to operate and then we are subject to the conditions of the permit. We will be required to reclaim all of the property that is disturbed during our operation and are required to post a bond to ensure that the reclamation is completed.

12- Possible release of radiation from nuclear testing residue. We checked radiation levels on samples taken from the proposed mine site, both surface and drill cuttings. No radiation above background levels was detected. Instrument used: RDX Nuclear DX-Radiation Monitor.

Ashgrove Cement currently operates a Pozzolan mine in Rush Valley, near Faust in Tooele County and Lafarge/Holcim has a mine near Devil's Slide along I-84 east of Ogden, UT.

While this response does not address every issue that has been brought up, we feel it addresses the most prevalent ones. As with many of the issues brought before the Commission, emotions run high, and people have very strong feelings, and many times they allow these feelings to override the actual facts.

The facts are that this material can be mined in a safe and responsible manner and will provide jobs for Iron County. Property values will not be adversely affected. The residents will have a much safer improved road for at least 9 miles of their trip.

We appreciate the Commissions consideration of this Conditional Use Permit Application, and we are available to answer any questions you may have regarding this response.

Sincerely,

Russell Limb
President
Progressive Contracting Inc.