

**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
STAFF SUMMARY FORM FOR CONSENT AGENDA ITEMS**

Date	11/13/2013	Operator	Beavers Construction Co. / High Mesa Gravel LLC
Permit No.	M-2000-067	Site Name	High Mesa Gravel Pit
Specialist	Dustin Czapla	Objecting Party	NA

Action:

- ☐ Permit Amendment Application with objections
☐ Violation
☐ Extension of Board-ordered deadline
☒ Other (Modification of Board Order)

Resolution:

NATURE OF ISSUE:

The Operator failed to post the required financial warranty within sixty days of the notice of adjustment.

CHRONOLOGY:

May 1, 2013	Division inspected site. Following the inspection, the Division reviewed the financial warranty based on the observed site conditions and found that the amount held was insufficient.
May 13, 2013	Division sent notice of surety increase.
July 12, 2013	Due date for posting additional financial warranty. Financial warranty was not submitted.
July 15, 2013	Division sent RTB letter.
September 18, 2013	Enforcement hearing was held during Board meeting. The operator did not appear during the hearing. Board found a violation, ordered revocation of the permit and imposed \$3,300.00 civil penalty.
September 20, 2013	Operator submitted the required financial warranty.
October 9, 2013	Board Order was issued.

STAFF RECOMMENDATION:

1. Reinstate Permit M-2000-067.
2. Suspend all but \$500.00 of the \$3,300.00 Civil Penalty.

Operator(s) Signature:

By signing this, the Operator agrees with the request to modify the Board Order issued October 9, 2013 as outlined above on the Staff Summary Form for Consent Agenda Items.

[Signature] 10/17/13
Operator Signature Date

STATE OF Colorado }

COUNTY OF mesa }

The foregoing instrument was hereby acknowledged before me this 17th day of October 2013 by Philip Baurassa who is personally known to me or who has produced Colorado Drivers License, as identification, and who signed this instrument willingly.

[Signature]

Notary Public

My commission expires: 9-9-2016

[Seal]

