



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

RECEIVED

APR 21 2014

DIVISION OF RECLAMATION
MINING AND SAFETY

April 14, 2014

Bill Tenore
T Bone Stone, Inc.
2337 Emery St
Longmont, CO 80501

RE: T Bone Quarry; DRMS File No. M-2004-030; Consent Agenda Summary Form

Dear Mr. Tenore,

The Division of Reclamation, Mining and Safety (Division) approved a conversion of a 110 Construction Materials Reclamation Permit to a 112 Construction Materials Reclamation Permit for the above referenced operation on January 2nd, 2013. To date, the Division has not received the appropriate financial and performance warranties. A Board Hearing is now required to comply with Rule 4.1(2). Enclosed you will find the Staff Summary Form for the required Mined Land Reclamation Board Hearing. As we discussed, if you do not wish to contest the issue, and will comply with the recommended corrective action, please sign and notarize the enclosed form and return the signed original copy no later than April 18th, 2014.

Please review the Consent Agenda Summary Form. If you wish to proceed with a hearing in order to address the Board, please let me know as soon as possible so a hearing can be scheduled for the April 30, 2014 Board meeting.

If you have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael A. Cunningham'.

Michael A. Cunningham
Environmental Protection Specialist

Certified Mail No. 7011 3500 0002 9607 6070
Return Receipt Requested

Enclosure: *Staff Summary Form for the Consent Agenda Items; T Bone Quarry; DRMS File
No. M-2004-030*

CC: Tom Kaldenbach, DRMS



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Mining and Safety**

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Denver, CO 80203

STAFF SUMMARY FORM FOR CONSENT AGENDA ITEMS

<u>Date</u>	April 14, 2014	<u>Operator</u>	T Bone Stone, Inc.
<u>Permit No.</u>	M-2004-030	<u>Site Name</u>	T Bone Stone Quarry
<u>Specialist</u>	Michael Cunningham	<u>Objecting Party</u>	N/A

Action:

___ Permit application with objections

___ Violation

___ Extension of Board-ordered deadline

X Other - Board Hearing for reconsideration of staff's original approval of a conversion of a 110 Construction Materials Reclamation Permit to a 112 Construction Materials Reclamation Permit when the required financial and performance warranty is not posted within 365 days of the approval date, pursuant to Rule 4.1(2).

Resolution:***NATURE OF HEARING:***

Reconsideration of staff's original approval of a conversion application, due to failure by applicant to post financial and performance warranties within 365 days of the approval date, pursuant to Rule 4.1(2)

CHRONOLOGY:

August 23rd, 2012 – The Division of Reclamation, Mining and Safety (Division) received a Construction Material Regular 112 Operation Reclamation Permit Conversion Application for the T Bone Quarry, DRMS File No. M-2004-030.



Mr. Tenore
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January 2nd, 2013 – The Division approved the 112 Construction Materials Reclamation Permit. The amount of the financial warranty set by the Division for this operation was \$68,574.00.

October 15th, 2013 – The Division sent the operator a notice that the financial and performance warranties had not been received and would need to be submitted by January 2, 2014.

February 11th, 2014 – Pursuant to Construction Materials Rule 1.6.1(2), the Division mailed notices to the Operator and the county in which the proposed operation is to be located.

March 5th, 2014 – The Division received proof the Operator initiated the Public Notice Procedures outlined in Construction Materials Rule 1.6.

STAFF RECOMMENDATION:

Re-affirm the Division approval of the Construction Material Regular 112 Operation Reclamation Permit Conversion Application for the T Bone Quarry, DRMS File No. M-2004-030 and require that the appropriate financial and performance warranties be posted on or before January 2, 2015.

Corrective Action(s):

Require the Operator to submit the appropriate financial and performance warranties in an approvable form on or before January 2, 2015.

Operator(s) Signature:

By signing this, the Operator agrees to comply with the Corrective Action(s) outlined above on the Staff Summary Form for Consent Agenda Items.

Operator Signature

Date

Notary Public

My Commission expires: 10-13-2017

DEBORAH S. KENT
NOTARY PUBLIC
STATE OF COLORADO

T BONE STONE

2337 EMERY ST
LONGMONT CO 80501

confidential
fax

To: <303-832-8106>

Fax Number: 303-832-8106

From: **T- Bone Stone Inc./ Bill Tenore**

Fax Number: 303-776-3839

Business Phone: 303-435-2495

Home Phone:

Pages: 5

Date/Time: 4/18/2014 6:00:26 PM

Subject:

ATTN MICHEAL C.