



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

June 19, 2014

Fred A. Duckels
Duckels Construction, Inc. dba Yampa Aggregates
3500 Duckels Court
Steamboat Springs, CO 80487

RE: **Hogue/River Pit (Permit M-1992-066)**
Notice of Violation MV-2014-015, Civil Penalties, and Cease and Desist Order

Dear Mr. Duckels:

C.R.S. 34-32.5-116(3)(a) and (b), 1989 Supp., and Permit No. M-1992-066 require you to submit to the Division of Reclamation, Mining and Safety (the "Division") \$791.00 in annual fees and an annual report on or before April 12 of each year. As of the date of this letter the Division has not received your annual fee and report for April 12, 2013. Therefore, you are in violation of the above cited statute and the provisions of Permit M-1992-066. Pursuant to C.R.S. 34-32.5-124, the Mined Land Reclamation Board hereby assesses Notice of Violation MV-2014-015, Civil Penalties in the amount of \$791.00, and Order to Cease and Desist from ALL mining related activities associated with Permit No. M-1992-066.

NOTE: NO PERMITS FOR NEW MINING OPERATIONS SHALL BE GRANTED TO ANY OPERATOR WHO IS CURRENTLY FOUND TO BE IN VIOLATION IN THIS STATE (C.R.S. 34-32.5-120) UNTIL THE VIOLATION IS ABATED. The Annual Report and Fee requirement will be considered submitted when we have received the following components:

1. **APPROPRIATE ANNUAL FEE**
2. **COMPLETED REPORT**
3. **ASSOCIATED MAP**

If you fail to comply with the above requirements, the Board Meeting for consideration of permit revocation and forfeiture of the following warranty(ies) will be held on July 30, 2014 (or the following day), in Room 318 of 1313 Sherman Street, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered.

<u>Bond Type(s)</u>	<u>Bond Number(s)</u>	<u>Bond Amount(s)</u>
CS	DVIFSU0541959	\$63,000.00

You will have the opportunity to be represented and heard.



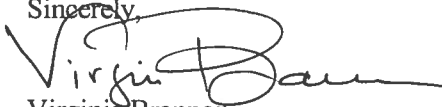
If you submit all past due annual fees, reports, and the Civil Penalties by July 25, 2014, this matter will be withdrawn from Board consideration.

IN ORDER TO AVOID PERMIT REVOCATION, PLEASE SUBMIT \$791.00 FOR ANNUAL FEES DUE AND \$791.00 FOR CIVIL PENALTIES ASSESSED (FOR A TOTAL OF \$1,582.00, AND YOUR ANNUAL REPORT BY July 25, 2014.

Following the hearing, all parties have an opportunity to review and comment on a draft of the Board's order before it becomes final. If you wish to do so, you must provide the Board with a written request to review the draft order prior to or at the time of your hearing, or you must inform the Board orally during the hearing that you request to review the draft order. You must include your mailing address and, if possible, a fax or email address. You will be provided a copy of the draft order by e-mail for your review as soon as it is available, unless a hard copy by mail is requested. The Board's attorney must receive your comments on the draft order within three (3) calendar days of the date the draft order is e-mailed, unless that deadline is extended by the Board's attorney. Submit all comments in writing, by e-mail or fax, to Mr. John Roberts, jj.roberts@stae.co.us, Fax: number 303-866-5395. Please note that the Division of Reclamation, Mining and Safety has requested and will be allowed to review and comment on the draft Board Order prior to mailing to any party. The Board will resolve any issues regarding the form and substance of the order. This process does not affect your right to request reconsideration by the Board or appeal the form or substance of the order.

Please contact the Division's office in Denver, telephone (303)-866-3567, x8136, to confirm the specific date for the hearing. The Board's agenda may not be finalized prior to the week of the Board meeting. Therefore, we recommend you contact the division on July 28, 2014. If you find you are having difficulty reaching someone, you may contact the Division's receptionist at (303)-866-3567 x 0 for assistance.

Sincerely,



Virginia Brannon
Director DRMS

CERTIFIED MAIL NO. 7012 3460 0000 6384 5597
RETURN RECEIPT REQUESTED

cc: Julie Murphy, AGO
Tony Waldron, DRMS
Russ Means, DRMS GJFO
Dustin Czapl, DRMS GJFO