



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

August 28, 2014

Jerry Ritchey
Ritchey's Redi-Mix Concrete, Inc.
509 S. Idlewild St.
Yuma, CO 80759

RE: CORLISS SAND PIT (PERMIT NO. M-2007-001) - NOTICE OF VIOLATION MV-2014-031, CIVIL PENALTIES, AND CEASE AND DESIST ORDER

Dear Mr. Ritchey:

C.R.S. 34-32.5-116(3)(a) and (b), 1989 Supp., and Permit No. M-2007-001 require you to submit to the Division of Reclamation, Mining and Safety (the "Division") \$323.00 in annual fees and an annual report on or before April 5 of each year. As of the date of this letter the Division has not received your annual fee and report for April 4, 2013 and April 5, 2014. Therefore, you are in violation of the above cited statute and the provisions of Permit M-2007-001. Pursuant to C.R.S. 34-32.5-124, the Mined Land Reclamation Board hereby assesses Notice of Violation MV-2014-031, Civil Penalties in the amount of \$323.00, and Order to Cease and Desist from ALL mining related activities associated with Permit No. M-2007-001.

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 2013 and 2014 ANNUAL FEES IN THE AMOUNT OF \$646.00
2. COMPLETED 2014 REPORT
3. ASSOCIATED 2014 MAP
4. CIVIL PENALTIES IN THE AMOUNT OF \$323.00

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 October 29, 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>
LC	4200543740	\$16,600.00

You will have the opportunity to be represented and heard.



If you submit all past due annual fees, reports, and the Civil Penalties by October 27, 2014, this matter will be withdrawn from Board consideration.

IN ORDER TO AVOID PERMIT REVOCATION, PLEASE SUBMIT \$646.00 FOR 2013 and 2014 ANNUAL FEES DUE, AND \$323.00 FOR CIVIL PENALTIES ASSESSED (FOR A TOTAL OF \$969.00), AND YOUR 2014 ANNUAL REPORT AND MAP BY October 27, 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 email 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 emailed, unless the deadline is extended by the Board's attorney. Submit all comments in writing, by email or fax, to: Mr. John Roberts, jj.roberts@state.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 (October 28, 2014).

If you have any questions, please contact Elliott Russell at 303-866-3567 x8132 or elliott.russell@state.co.us.

Sincerely,



Virginia Brannon
Division Director

CERTIFIED MAIL NO. 7012 3460 0000 6385 3660
Return Receipt Requested

cc: Julie Murphy, AGO
Elliott Russell
Tom Kaldenbach, DRMS
Tony Waldron, DRMS