



SOUTH FORK
852-3732

MATHIAS CONCRETE INC.

P.O. BOX 266
MONTE VISTA, CO 81144



MONTE VISTA
852-3732

RECEIVED

June 29, 2016

JUL 05 2016

GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

Travis Marshall, DRMS
101 South 3rd.
Suite 301
Grand Junction, CO 81501

Dear Sirs:

In response to your letter dated June 27 in regards to not submitting a map for the last two years, we would present the following:

1. Our gravel pit area was released from liability and was completely reclaimed in 2009. Because no mining has taken place in pond area since that date, there have been no changes since that time.
2. The only area that needs to be reclaimed several years from now, is the processing area, which is labeled on enclosed aerial photo of our original permit. Since we have not made any changes in our operations and are not mining on our property, we did not believe we had to submit a map.

Thank you for your consideration in this matter.

Thomas Mathias



Mathias Concrete, Inc. North Farm Rd
 Permit 77-190

⊙ permit boundaries



processing area - 4 to 5 acres

map submitted June 29th, 2016



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

June 27, 2016

Thomas G. Mathias
Mathias Concrete, Inc.
1500 N. Farm Road
P.O. Box 266
Monte vista, CO 81144

Enclosed is

Copy of Certified letter
For you to coordinate

Permit No. M-1977-140

TO expediate coorespondance to
Tom MATHIAS

EMAIL FOR MATHIAS CONCRETE

follows :

MATHIAS - CONCRETE @ YAHOO.COM

**RE: Notice of Violation No. MV-2016-043, Civil Penalties and Cease and Desist Order,
Notice of Formal Board Hearing, N Farm Rd Pit No. 1, Permit No. M-1977-140**

Dear Mr. Mathias:

Pursuant to C.R.S. 34-32.5-116(3)(a), and the conditions of Permit No. M-1977-140, you are required to submit to the Division of Reclamation, Mining and Safety (Division) \$791 in annual fees and an annual report and map by the anniversary date of the Permit, by January 15th of each year. As of the date of this correspondence, the Division has not received the annual maps for two consecutive years, due on January 15, 2015, and January 15, 2016.

Therefore, you are in violation of C.R.S. 34-32.5-116(3)(a), and of the conditions of Permit No. M-1977-140. Pursuant to C.R.S. 34-32.5-124, the Mined Land Reclamation Board (Board) hereby issues Notice of Violation No. MV-2016-043, an Order to Cease and Desist from all mining related activities associated with Permit No. M-1977-140, and assesses Civil Penalties in the amount of \$791.

NOTE: NO PERMITS FOR NEW MINING OPERATIONS SHALL BE GRANTED TO ANY OPERATOR WHO IS CURRENTLY FOUND TO BE IN VIOLATION IN COLORADO (C.R.S. 34-32.5-120) UNTIL THE VIOLATION IS ABATED.

To abate the violation and avoid permit revocation please submit the following, due July 26, 2016:

- \$791 civil penalty assessed for Violation MV-2016-043
- Delinquent annual maps, originally due January 15, 2015, and January 15, 2016

If you fail to abate the violation by July 26, 2016, this matter will be considered by the Board, at a Formal Board Hearing during the July 27-28, 2016 Board meeting, for consideration of permit revocation and finding the financial warranty subject to forfeiture. The financial warranty for the N Farm Rd Pit No. 1 is a corporate surety bond # 929118157, in the amount of \$36,355.

The Formal Board Hearing will occur at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on July 27, 2016, or as soon thereafter as the matter can be considered. At that hearing you will have opportunity to present your defense.



If the Division receives the delinquent annual maps, as well as payment for the civil penalty assessed for Violation MV-2016-043, by July 26, 2016, this matter will be withdrawn from the Board's consideration.

If this matter is brought before the Board, 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 a written request to review the draft Order prior to or at the time of the hearing, or you must inform the Board orally during the hearing your request to review the draft Order. The Board's attorney must receive your comments on the draft Order within three 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 John J. Roberts, First Assistant Attorney General, Colorado Department of Law, (720) 508-6037 (fax), or John.Roberts@coag.gov.

Please note the Division has requested and will be allowed to review and comment on the draft Board Order.

The Board's agenda may not be finalized until the week of the Board meeting. Therefore, we recommend you contact the Board's secretary, Johnie Abad, at (303) 866-3567, ext. 8136, or Johnie.A.Abad@state.co.us, on July 25, 2016, to confirm the specific date for the hearing.

If you have any questions about this letter or the hearing, please contact Michelle Ramirez at (303) 866-3567 ext. 8114, or Michelles.Ramirez@state.co.us.

Sincerely,



Virginia Brannon
Division Director

CERTIFIED MAIL NO. 7014 2120 0001 8040 0958
Return Receipt Requested

cc: Tony Waldron, DRMS;
Jeff Fugate, AGO;
Travis Marshall, DRMS;
Wally Erickson, DRMS