

August 3, 2016

Derek Duran
Duran & Pearce Contractors
PO Box 1311
Craig, CO 81626



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

RE: Martin Pit 1-A, File No. M-1990-140, Error in Newspaper Publication

Dear Mr. Duran:

On July 25, 2016 the Division of Reclamation, Mining and Safety (Division) received your Proof of Publication for your Construction Materials Regular (112) Operation Reclamation Permit Conversion application. The Proof of Publication is from The Craig Daily Press.

The publication is incorrect by stating that all written comments must be received by July 10, 2016. Per Rule 1.7.1(2)(a), in case of a 112 Reclamation Permit Application, such written comments, protests and petitions for a hearing must be received by the Office not more than twenty (20) calendar days after the last date of newspaper publication of notice, which should have been July 28, 2016.

Rule 1.6.6 states when an error in notice occurs that the applicant shall be required to publish and mail new notice of application and that all applicable deadlines shall begin anew. Therefore, Duran & Pearce Contractors must re-publish the permit application notice giving the public the required twenty (20) days to comment after the last date of publication.

Currently the decision due date is set for September 5, 2016. Due to the need for republication this deadline is impractical. The Division must allow time for comments to be received once the comment period has ended. The Division recommends that you request an extension to the decision due date that allows at least two weeks from the end of your comment period.

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 970-254-8511 or via email at amy.yeldell@state.co.us

Sincerely,

Amy Yeldell
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Department of Natural Resources
Division of Reclamation, Mining and Safety
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Ec:
Russ Means, Senior EPS, Grand Junction DRMS