



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

February 23, 2017

David A. King  
Midway Aggregates, RLLP  
P.O. Box 580  
Rye, CO 81069

**Re: Midway Pit, Permit M-1988-018;  
Third Corrective Action Due Date Extension Approval**

Dear Mr. Read,

On February 22, 2017 the Division received your request for a 30 day extension to the two remaining corrective actions resulting from our Midway Pit inspection report sent mailed on November 13, 2015. The request accompanied the utility agreement which satisfied the corrective action for Problem No. 2 cited in the aforementioned inspection report. As Midway Aggregates has demonstrated progress in resolving the outstanding corrective actions, the Division hereby grants the requested extension deadline to March 24, 2017 for Problem Nos. 1 and 3.

The corrective actions and due dates are summarized below:

**INSPECTION TOPIC:** Availability Of Records

**PROBLEM No. 1/POSSIBLE VIOLATION:** Problem: The current mine and reclamation plans, as well as the affected area mine and reclamation plan maps do not reflect the observed disturbances (i.e., affected area limits) and necessary reclamation (e.g., pond reclamation and seed mix).

**CORRECTIVE ACTIONS:** Within 60 days of this report the Operator must submit a Technical Revision (TR) to update the mining and reclamation plans, and the Mine Plan Map and Reclamation Plan Map.

**CORRECTIVE ACTION DUE DATE:** ~~5/9/16 7/8/2016 9/6/2016~~ **3/24/2017**

**INSPECTION TOPIC:** Financial Warranty

**PROBLEM No. 3/POSSIBLE VIOLATION:** Problem: The financial warranty is not adequate to reclaim the site in accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.

**CORRECTIVE ACTIONS:** The operator shall submit adequate financial warranty, as determined by the Division. The operator will have 60 days from the date on this report to post the additional financial warranty.

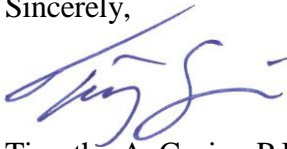
**CORRECTIVE ACTION DUE DATE:** ~~5/9/16 7/8/2016 9/6/2016~~ **3/24/2017**



Mr. David A. King  
February 23, 2017  
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If you have any questions, please contact me at (303) 866-3567, ext 8169.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Cazier', with a stylized flourish at the end.

Timothy A. Cazier, P.E.  
Environmental Protection Specialist

ec: DRMS file

