



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

MEMORANDUM

DATE: October 10, 2017

TO: Mined Land Reclamation Board

FROM: Amy Yeldell, Environmental Protection Specialist

RE: Board Action; Moffat Limestone Company; Juniper Quarry; Permit No. M-1982-141;
Consideration of operator's request to reinstate permit after past due annual report, maps,
and fee have been submitted.

The Board packet contains the following documents:

1. Notice of Violation No. MV-2017-031, Civil Penalties and Cease and Desist Order, Notice of Formal Board Hearing, dated July 21, 2017
2. Annual Report, fee and map for 2017 received August 25, 2017
3. Board Order for MV-2017-031, signed on September 8, 2017
4. Permittee's request for permit reinstatement, received on October 2, 2017
5. Staff Presentation Form for October 25-26, 2017 Board Meeting





COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 21, 2017

Michael and Mardi Anson
Moffat Limestone Company
P.O. Box 363
Craig, CO 81626

**RE: Notice of Violation No. MV-2017-031, Civil Penalties and Cease and Desist Order,
Notice of Formal Board Hearing, Juniper Quarry, Permit #M-1982-141**

Dear Mr. and Mrs. Anson:

Pursuant to C.R.S. 34-32.5-116(3)(a) and (b), the conditions of Permit No. M-1982-141, you are required to submit to the Division of Reclamation, Mining and Safety (Division) \$791.00 in annual fees and an annual report and map by the anniversary date of the Permit, by August 9th of each year. As of the date of this correspondence, the Division has not received the Annual Report due August 9, 2015.

Therefore, you are in violation of C.R.S. 34-32.5-116(3)(a) and (b), and of the conditions of Permit M-1982-141. Pursuant to C.R.S. 34-32.5-124, the Mined Land Reclamation Board (Board) hereby issues Notice of Violation MV-2017-031, an Order to Cease and Desist from all mining related activities associated with Permit No. M-1982-141, and assess Civil Penalties in the amount of **\$791.00**

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 by (30 calendar days):

- **\$791.00** civil penalty assessed for Violation MV-2017-031.
- Delinquent Annual Report originally due August 9, 2015.

If you fail to abate the violation by August 21, 2017, this matter will be considered by the Board, at a Formal Board Hearing during the August 23-24, 2017 Board meeting, for consideration of permit revocation and finding the financial warranty subject to forfeiture. The financial warranty for the Juniper Quarry is a Letter of Credit bond #46002643, in the amount of \$154,405.00.

The Formal Board Hearing will occur at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on August 23, 2017 or as soon thereafter as the matter can be considered. At that Hearing, you will have the opportunity to present your defense.



If the Division receives the delinquent annual fee, report and map, as well as payment for the civil penalty assessed for Violation MV-2017-031 by August 21, 2017, 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 emailed, unless that deadline is extended by the Board's attorney. Submit all comments in writing, by email, 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, Camille Mojar, at (303)-866-3567 x8136 or camille.mojar@state.co.us on August 21, 2017 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 x8114 or michelles.ramirez@state.co.us or Scottie Tate at x8166 or scottie.tate.@state.co.us.

Sincerely,



Virginia Brannon
Division Director

CERTIFIED MAIL 7014 2120 0001 7885 3438
Return Receipt Requested

cc: Tony Waldron, DRMS
Jeff Fugate, AGO
Amy Yelldell, GJFO
Russ Means, GJFO

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael and Mardl Anson
Moffat Limestone Company
P.O. Box 363
Craig, CO 81626

2. Article Number (Transfer from service label)

7014 2120 0001 7885 3438

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

802032243 8020322435 *1968-06680-14-37

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

Michael and Mardl Anson DE 1 NIXIE 808 0000/14/17

1st NOTICE JUL 24 2017
2nd NOTICE
RETURNED 8-8

RECEIVED

AUG 17 2017

DIVISION OF RECLAMATION
MINING AND SAFETY

7014 2120 0001 7885 3438



DIVISION OF RECLAMATION
MINING AND SAFETY

AUG 17 2017

RECEIVED

ACG
GRM
"Returned Mail"

COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203-2243
3413000000



112c Annual Report

<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">AUG 25 2017</p> <p style="text-align: center;">DIVISION OF RECLAMATION, MINING & SAFETY MINERALS FEE REPORT MAP</p> <p style="text-align: center;">(DRMS Office Use Only)</p>	Permit Number:	M-1982-141
	Permittee Name:	Moffat Limestone Company
	Operation Name:	Juniper Quarry
	County:	Moffat
	Anniversary Date:	August 9, 2017
	Current Bond Amt:	\$154,405.00
	Annual Fee Due:	\$791.00
	Permit Acreage:	88.70
	DRMS Specialist	GRM

According to C.R.S. 34-32.5-116 or 34-32-116, each year, on the anniversary date of the permit, an operator shall submit the Annual Fee, an Annual Report and Map showing the extent of current disturbances to affected land, required monitoring information, reclamation accomplished to date and during the preceding year, any new disturbance that is anticipated to occur during the upcoming year, any reclamation that will be performed during the upcoming year, the dates for the beginning of active operations, and the date active operations ceased for the year.

Information contained in this report will be reviewed by the Division upon receipt and prior to the next compliance inspection of the site. If, while completing this report, you learn that your site is not in compliance with the rules and the act, it is advisable that the issues be rectified promptly to avoid possible enforcement action.

1. Is the site identification sign posted in accordance with Rule 3.1.12(1)? ☒ YES ☐ NO
2. Is the affected area boundary clearly marked in accordance with Rule 3.1.12(2)? ☒ YES ☐ NO
3. Is the mine site in final reclamation (all material extraction and stockpile removal is complete)? YES ☒ NO
If "YES," please note time limits related to completion of reclamation, Rule 3.1.3.
4. What was the date of last excavation, processing or hauling activity at the mine? Current
5. Does the mine operate more than 180 days per year? YES ☒ NO
If "NO", please review Rule 1.13 to assure that your mine is in compliance.
6. Has this mine been granted: YES ☒ NO ☒
a) approval of TEMPORARY CESSATION Status?
b) approval for INTERMITTENT OPERATION?
7. Number of acres currently affected (mining + incomplete and or unreleased reclamation): 88.70
8. Number of acres that were newly affected during the current report year: 0
9. Number of acres that were reclaimed during the current report year: 0
10. Estimated new acreage to be affected in the next report year: 0
11. Estimated acres to be reclaimed in the next report year: unk

12. **Total acres** in various stages of reclamation, since permitted mining activities began:

Total acres backfilled:		Total acres seeded w/ approved mix:		Total acres w/topsoil replaced:		Total acres mulched w/ approved mulch:	
Total acres graded:		Total acres fertilized w/ apvd fertilizer:		Topsoil replacement depth (in.):		Mulch application rate (tons/ac):	
Seed application method:		Fertilizer application method:		Mulch application method:			

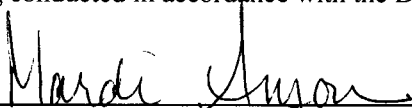
13. Is weed control being conducted in accordance with an approved Weed Control Plan? ☒ YES NO N/A
If "YES", indicate the weed species, control area, control type, application rate and treatment date on the report map.
14. Is adequate topsoil reserved for reclamation, based on your approved permit? ☒ YES NO N/A
If "NO", please explain:
15. Is the reserved topsoil vegetated/stabilized in accordance with Rule 3.1.9(1)? ☒ YES NO N/A
If "NO" please explain:
16. If mining has exposed groundwater, is the site in compliance with the approved mining plan and Office of the State Engineer (Well Permit, S.W.S.P., and/or Permanent Augmentation Plan)? ☒ YES NO ☒ N/A
17. Are all hazardous materials stored within approved spill containment structures? ☒ YES NO N/A
18. Is your financial warranty value sufficient to cover the cost to complete reclamation? ☒ YES NO N/A
19. Is your basis for legal right to enter still valid? ☒ YES NO
20. Does your permit require you to submit monitoring information annually? YES ☒ NO N/A
If "Yes", please attach the required monitoring results to this Annual Report.
21. As required by Colorado Mined Land Reclamation Act and/or Colorado Land Reclamation Act for the Extraction of Construction Materials (C.R.S. 34-32-116 or 34-32.5-116), attach a map to this report that accurately depicts the permit boundary, current affected area boundary and location of the acreages specified in items 7- 12 and 14. UPDATED

MAP ATTACHED: _____

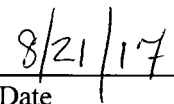
Division records indicate the following permittee/landowner contact information (blank fields indicate that we do not have information on record). If this information is blank or not current, please type or print **current** contact information:

Permittee Contact:	Michael and Mardi Anson	
Permittee Company:	Moffat Limestone Company	
Address:	P.O. Box 363 Craig, CO 81626	
Phone Number:	(970) 629-2057	
Fax Number:		
Email Address:	Moffatlimestone@yahoo.com	
Permitting Contact:	Michael T. Anson	
Company:	Moffat Limestone Company	
Address:	P O Box 777 Craig, CO 81626	
Phone Number:	(970) 272-3000	
Fax Number:	970 824 - 8536	
Email Address:	moffat limestone@yahoo.com	
Inspection Contact:	Michael T. Anson	
Company:	Moffat Limestone Company	
Address:	P O Box 777 Craig, CO 81626	
Phone Number:	(970) 272-3000	
Fax Number:		
Email Address:	mike@ansonexcavating.com	

I, the undersigned, hereby state that the information provided in this report is true and accurate, and that site operations are being conducted in accordance with the Division approved mining and reclamation plans.



Signature of **Permittee, Corporate Officer, Owner, or Documented Designee**


Date

Moffat Limestone Company

South Pit as of 6-25-2016

Legend

- Acres
- Active Mining area
- Active Reclaiming Area
- Area
- Future Mining Area 5 to 10 years 14.18 Acres
- Future Mining Next 3 to 5 yrs
- Permit Bdry

RECEIVED
AUG 25 2017

DIVISION OF RECLAMATION
MINING AND SAFETY

M-1982-141
Small maps

Future Mining Area 1.55 Acres

Active Mining Area 2.75 Acres

Moffat Limestone Company South Pit 9.71 Total Disturbed

Crushing, Screening and Stockpile Area 4.24 Acres

Moffat Limestone Company South Pit 9.71 Total Disturbed

Google earth

500 ft



Moffat Limestone Company

Main Pit as of 6-25-2016

Legend

- Acres
- Active Mining area
- Active Reclaiming Area
- Area
- Future Mining Area 5 to 10 years 14.18 Acres
- Future Mining Next 3 to 5 yrs
- Permit Bdry

RECEIVED
AUG 25 2017
DIVISION OF RECLAMATION
MINES AND SAFETY

Active Reclaim Area 1.68 Acres

Future Mining Area 9.66 Acres

Active Mining, Crushing & Stockpile Area 22.43 Acres

Reclaimed Area 2.59 Acres

Moffat Limestone Main Pit 58.75 Acres

Future Mining Area 5 to 10 years 14.98 Acres

Google earth

1000 ft



Division of Reclamation, Mining, and Safety

Fee Receipt for M1982141

Moffat Limestone Company
Michael and Mardi Anson
P.O. Box 363

Craig

CO 816260000

Receipt #: 24081

Date: 08/25/2017

Permit: M1982141

Payment Method	Revenue Code	Fee Description/Notes	Amount
Check #1419	4300-MAF0	Minerals Annual Fees User: sdt Due 8/9/17	\$791.00
Receipt Total:			\$791.00



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

September 8, 2017

Michael and Mardi Anson
Moffat Limestone Company
P.O. Box 363
Craig, CO 81626

Re: Findings of Fact, Conclusions of Law, and Order, Moffat Limestone Company
File No. M-1982-141, MV-2017-031

On September 6, 2017 the Mined Land Reclamation Board signed the enclosed Board Order for the above captioned operation. We strongly advise that you read this document carefully since it may contain deadlines for corrective actions, civil penalties, cease and desist orders or other actions that may require your immediate attention to avoid future board actions.

Sincerely,

Camille Mojar
Board Secretary

Enclosure(s)

Certified Mail

7016 2710 0000 2904 5024

cc:
Amy Yeldell
Russ Means
Scottie Tate
John Roberts



BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

Notice of Violation No. MV-2017-031

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

IN THE MATTER OF VIOLATION OF MOFFAT LIMESTONE COMPANY, CIVIL
PENALTIES, REVOCATION, AND FINDING THE FINANCIAL WARRANTY TO BE
SUBJECT TO FORFEITURE,
File No. M-1982-041

THIS MATTER came before the Mined Land Reclamation Board ("Board") on August 23, 2017 in Denver, Colorado for a hearing to consider revocation of permit number M-1982-041, held by Moffat Limestone Company ("Operator") and finding the financial warranty to be subject to forfeiture for Operator's failure to submit an annual report, map, and fee, and violating provisions of the permit. Scottie Tate and Tony Waldron appeared on behalf of the Division of Reclamation, Mining and Safety ("Division"). There was no appearance on behalf of Operator.

The Board, having considered the presentation and having been otherwise fully informed of the facts, hereby enters the following findings of fact, conclusions of law and order.

FINDINGS OF FACT

1. Operator holds a 112c reclamation permit for a limestone operation located in Section 15, Township 6 North, Range 95 West, 6th P.M. in Moffat County, known as the Juniper Quarry.
2. The Division holds a financial warranty for the site in the total amount of \$154,405.
3. On June 1, 2015, the Division sent Operator an Annual Fee Invoice and Report Request for payment of the 2015 annual fee, completed annual report, and map, all due by the permit anniversary date.
4. On August 18, 2015, the Division received the annual fee, incomplete annual report, and no map for 2016.
5. On January 20, 2017, the Division mailed a Grace Period letter to Operator.
6. On July 21, 2017, the Division mailed a Notice of Violation, Civil Penalties, Cease and Desist Order, and Notice of Formal Board Hearing to Operator, imposing a cease and desist order, informing Operator of the possible violation and providing details regarding a hearing on this matter scheduled for August 23, 2017.

7. On August 17, 2017, the Division received its July 21, 2017 Notice of Violation letter by return mail from the U.S. Postal Service, marked "Undeliverable – Unable to Forward."

8. Operator failed to submit annual reports, fees, and maps, as required by sections 34-32.5-116(3)(a), (b), C.R.S..

9. The permit includes a performance warranty in which Operator agreed that all operations shall be in compliance with the Act and all rules and regulations promulgated pursuant to the Colorado Land Reclamation Act for the Extraction of Construction Materials, Article 32.5 of Title 34, C.R.S. ("Act"). Operator's violations of the Act constitute Operator's default under the performance warranty and violation of the permit.

CONCLUSIONS OF LAW

10. The Board has jurisdiction over this matter and Operator pursuant to the Act.

11. Operators are required to submit annual reports and maps, and pay annual fees for each year of operation. C.R.S. §§ 34-32.5-116(3)(a), (b) (2016). Operator failed, by the anniversary date of the permit, to submit annual reports, submit annual maps, and pay annual fees, in violation of section 34-32.5-116(3)(a), (b), C.R.S.

12. The Board may issue a cease and desist order if it determines that a violation of any provision of the Act or any regulation has occurred. C.R.S. § 34-32.5-124(2) (2016). Operator violated section 34-32.5-116(3)(a), (b), C.R.S. by failing to file annual reports and maps, and failing to pay annual fees.

13. Under section 34-32.5-124(6)(a), C.R.S., if the Board finds that an operator violated a permit provision, the Board may suspend, modify, or revoke such permit. By violating provisions of the Act and Rules, Operator is in violation of provisions of the permit, specifically the performance warranty. Suspension, modification, or revocation of the permit is appropriate.

14. Pursuant to section 34-32.5-124(7), C.R.S. the Board may impose a civil penalty of not less than \$100 per day nor more than \$1,000 per day for each day during which a permit violation occurs.

15. The Board may find a financial warranty subject to forfeiture where an Operator failed to cure a default under a performance warranty despite written notice of the default and ample time to cure such default. C.R.S. § 34-32.5-118(1)(b) (2016). Operator's violation of provisions of the Act constitutes Operator's default under its performance warranty. Operator defaulted on its performance warranty, received written notice of the default, and failed to cure such default.

ORDER

Operator did not appear in this matter to present any mitigating factors. There is no information before the Board indicating that any action other than the requested action is appropriate. Therefore, based on the foregoing findings of fact and conclusions of law, the Board enters the following order:

The Board finds Moffat Limestone Company in violation of the Act, under sections 34-32.5-116(3)(a), (b), C.R.S. for failing to submit required annual fees, annual reports, and maps.

The Board finds Moffat Limestone Company in violation of the permit.

The Board AFFIRMS the cease and desist order issued by the Division on July 21, 2017.

The Board AFFIRMS the civil penalty imposed by the Division on July 21, 2017.

The Board orders that permit number M-1982-141 is REVOKED.

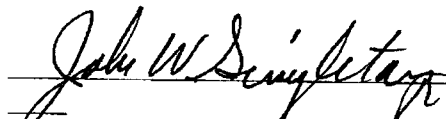
The Board finds the financial warranty for permit number M-1982-141 to be subject to forfeiture under section 34-32.5-118(1)(b), C.R.S. for Operator's failure to cure a default under its performance warranty.

The Board directs the Division to, in accordance with section 34-32.5-118(2), C.R.S., notify Operator that the financial warranty is subject to forfeiture and of its right to appear at a Board hearing to consider whether the financial warranty for the permit should be forfeited, such hearing to be held at least thirty days after receipt of such notice.

The Board directs the Division to, if Operator fails to cure the violations cited in this Order within ten days of the effective date of this Order, schedule this matter for a hearing to consider forfeiture of the financial warranty for the permit at the next available Board meeting after the required notification is issued to Operator, at least thirty days after receipt of such notice.

DONE and ORDERED this 6th day of September 2017.

FOR THE COLORADO MINED LAND
RECLAMATION BOARD


John Singletary, Chair

NOTICE OF JUDICIAL REVIEW RIGHTS

This order becomes effective and final upon mailing. Any party adversely affected or aggrieved by agency action may commence an action for judicial review by filing a complaint with the district court within thirty-five (35) days after the effective date of this order, pursuant to section 24-4-106, C.R.S. (2016) and the Colorado Rules of Civil Procedure. In the event that a complaint for judicial review is filed, designations of record made in accordance with section 24-4-106(6), C.R.S. should be served on the Board at: 1313 Sherman Street, Room 215, Denver, CO 80203, Attention: Camie Mojar.

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within FINDINGS OF FACT, CONCLUSIONS OF LAW, AND BOARD ORDER upon all parties herein by depositing copies of same in the United States mail, first-class postage prepaid, at Denver, Colorado, this 8th day of September 2017 addressed as follows:

By certified mail to:
7016 2710 0000 2904 5024

Michael and Mardi Anson
Moffat Limestone Company
P.O. Box 363
Craig, CO 81626

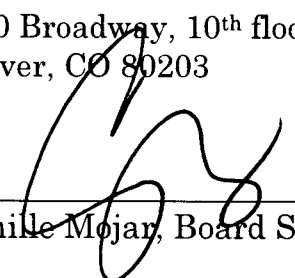
By electronic mail to:

Amy Yeldell
Division of Reclamation, Mining & Safety
Grand Junction Field Office
101 South 3rd, Suite 301
Grand Junction, CO 80501

Russ Means
Division of Reclamation, Mining & Safety
Grand Junction Field Office
101 South 3rd, Suite 301
Grand Junction, CO 80501

Scottie Tate
Division of Reclamation, Mining & Safety
1313 Sherman Street
Denver, CO 80203

John J. Roberts
First Assistant Attorney General
Department of Law
Business and Licensing Section
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 10th floor
Denver, CO 80203



Camille Mojar, Board Secretary

GRM



789 Stock Dr Craig, CO 81625 (970) 272-3000 Fax (970) 824-8536 www.moffatlimestone.com

09/22/2017

RECEIVED

✓ OCT 02 2017

**DIVISION OF RECLAMATION
MINING AND SAFETY**

Colorado Division of Reclamation, Mining & Safety
Mine Reclamation board
1313 Sherman St. Room 215
Denver, CO 80203

RE: Juniper Quarry, Permit No M1982-141

✓
I am requesting a re-instatement of the permit as we have complied with all the conditions of the board order. We would like to keep our Limestone mine in good standing. I apologize for missing this report and I will do my best that this will not happen again.

Thank you for your time and understanding.

Mardi Anson
Secretary

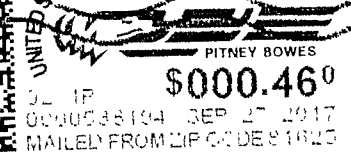
Moffat Limestone Company
PO Box 363
Craig, CO 81625
(970) 272-3000
(970) 824-8536 fax
moffatlimestone@yahoo.com



Moffat Limestone
PO Box 363
Craig, CO 81626
www.moffatlimestone.com

GRAND JUNCTION CO 815

27 SEP 2017 PM



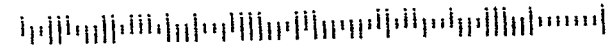
RECEIVED

OCT 02 2017

DIVISION OF RECLAMATION
MINING AND SAFETY

Colorado Div. of Reclamation Mining & Safety
Mine Reclamation board Rm. 215
1313 Sherman St. Rm. 215
Denver, CO 80203

8020332243



CONSTRUCTION MATERIALS EXTRACTION
Staff Presentation Form
October 25-26, 2017 Board Meeting

GENERAL INFORMATION:

File No:	M-1982-141	Commodity:	Limestone
Permit Type:	112c	Method of Mining:	Conventional excavation
Permit Area:	88.70 acres	PMLU:	Wildlife Habitat
Site Name:	Juniper Quarry	Existing Bond:	\$154,405
Permittee:	Moffat Limestone Company	Bond Adequate:	Yes
County:	Moffat	Specialist:	Amy Yeldell/Russ Means

NATURE OF REQUESTED BOARD ACTION:

This hearing is for consideration of operator's request to reinstate the permit after past due annual reports, maps, and fees have been submitted.

CHRONOLOGY:

July 21 2017: DRMS sent Notice of Violation No. MV-2017-031, Civil Penalties and Cease and Desist Order, Notice of Formal Board Hearing.

August 23, 2017: Board Hearing for consideration of permit revocation and finding financial warranty subject to forfeiture.

August 25, 2017: DRMS received the past due annual report, maps, and fee for 2017.

September 8, 2017: Board Order sent for MV-2017-031 ordering Cease and Desist Order, permit revocation and finding the financial warranty subject to forfeiture.

October 2, 2017: DRMS received operator's request for permit reinstatement.

STAFF RECOMMENDATION(S):

Pursuant to C.R.S. 34-32.5-124(6)(b), if the Board suspends or revokes the permit of an operator, such operator may continue mining operations only for the purpose of bringing such operations into satisfactory compliance with the provisions of such operator's permit. Once such operations are completed to the satisfaction of the Board, the Board shall reinstate such permit.

In this case, the Board revoked the permit for failure to submit the required annual report, map, and fee for 2017.

The operator has submitted the past due annual report, maps, and fee.

Division staff recommends the Board reinstate the permit.