



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

1313 Sherman Street, Room 215
Denver, CO 80203

November 16, 2017

Bill Schenderlein
Blue Earth Solutions, LLC
P.O. Box 2427
Fort Collins, CO 80401

RE: Irwin/Thomas Mine; DRMS File No. M-2016-054; Notice of Receipt of Administrative Appeal
(Revised)

Dear Mr. Schenderlein,

On October 23, 2017, the Division received your Administrative Appeal of an Office Decision related to the denial of the Construction Materials 112 Reclamation Permit Application for the Irwin/Thomas Mine, File M-2016-054. Rule 1.4.12(a) states the Applicant has 10 days to petition an appeal which includes an explanation of the grounds for seeking a reversal of the Office's decision. Your letter appealing the Office's decision satisfies the requirements of Rule 1.4.12.

Consideration of the appeal has been rescheduled for a hearing before the Mined Land Reclamation Board (Board) at the December 13-14, 2017 Board Meeting. The formal public hearing will be held at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m. on December 13, 2017 or as soon thereafter as the matter can be considered. At that hearing you will have the opportunity to present your defense.

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 by telephone at (303) 866-3567, ext. 8136 or by email at Camille.Mojar@state.co.us on Monday, December 11, 2017, to confirm the specific date for the hearing.

If you have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

Michael A. Cunningham
Environmental Protection Specialist

CC: Wally Erickson, DRMS
Connie Davis, Aggregate Industries – WCR, Inc.
County Commissioner, Boulder County Commissioners

