



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

Josh Buster  
ELB Stone, Inc.  
2495 CR 37 E  
Lyons, CO 80540

RE: Buster Quarries; DRMS File No. M-1981-107; Request for Information

Dear Mr. Buster,

Per our telephone conversation today, this letter is being provided to clarify the Division's position regarding the difference between a Permittee and an Operator of a mining operation. Pursuant to Rule 1.1(40), a Permittee is any person holding a mining Permit. Whereas pursuant to Rule 1.1(36), an Operator is any person, firm, partnership, association, or corporation engaged in or controlling a mining operation. The Permittee and the Operator of a mine may be the same entity. However, there is no requirement that the Permittee conducts the mining operation. It is not uncommon for a Permittee to contract the mining to a different entity or operator. The Permittee is ultimately responsible for ensuring compliance with the Reclamation Permit and for ensuring all affected lands are reclaimed.

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

Sincerely,

Michael A. Cunningham  
Environmental Protection Specialist

CC: Wally Erickson, DRMS  
Amy Eschberger, DRMS

