



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

November 14, 2019

Bill Tenore
T Bone Stone, Inc.
2337 Emery St
Longmont, CO 80501

**RE: NOTICE OF VIOLATION NO. MV-2019-030
CIVIL PENALTIES, AND CEASE AND DESIST ORDER
T Bone Stone Quarry (Permit No. M-2004-030)**

Dear Mr. Tenore:

C.R.S. 34-32.5-116(3)(a) and (b) and Permit No. M-2004-030 require you to submit to the Division of Reclamation, Mining and Safety (Division) an annual fee, map and report, due on or before September 13th of each year. The annual fee required for your permit is \$791.00. As of the date of this letter, the Division has not received your submittal for September 13, 2019.

Therefore, you are in violation of the above cited statute and the provisions of your Permit No. M-2004-030. Pursuant to C.R.S. 34-32.5-124, the Mined Land Reclamation Board (Board) hereby assesses Notice of Violation MV-2019-030, Civil Penalties in the amount of \$791.00, and an Order to Cease and Desist from all mining related activities associated with Permit No. M-2004-030.

Pursuant to C.R.S. 34-32.5-116(3)(b), a Formal Public Hearing before the Board has been scheduled for consideration of permit revocation and finding the financial warranty subject to forfeiture. The Formal Public Hearing will occur during the January 22, 2019 Board meeting, to be held in Room 318 of 1313 Sherman Street, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. At the hearing, the Division will reiterate the permit should be revoked and the financial warranty should be found subject to forfeiture. You will have the opportunity to be represented and heard.

If you submit all past due annual fees, reports, and maps, and the Civil Penalties by **January 17, 2019**, this matter will be withdrawn from Board consideration and the scheduled hearing will be vacated.

Please note that no permits for new mining operations shall be granted to any operator who is currently found to be in violation in this state (C.R.S. 34-32.5-120) until the violation is abated.

If the 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 with a written request to review the draft Order prior to or at the time of your hearing, or you must inform the Board orally during the hearing that you request to review the draft Order. You must include your mailing address and, if possible, a fax number. You will be provided a copy of the draft Order for your review as soon as it is available. The Board must receive your comments on the draft Order within ten (10) calendar



days of the date the draft Order is mailed, unless that deadline is extended. Please note that the Division has requested and will be allowed to review and comment on the draft Board Order prior to mailing to any party.

Please submit all comments in writing to: Charles J. Kooyman, Colorado Department of Law, Business and Licensing Section, 1300 Broadway, 8th Floor Denver, CO, 80203, 720-508-6440 (phone), 720-508-6037 (fax), or Charles.Kooyman@coag.gov. The Board will resolve any issues regarding the form of the Order. This process does not affect your right to request reconsideration by the Board or appeal the substance of the Order.

The Board's agenda may not be finalized until the week of the Board meeting. Therefore, we recommend you contact the Board Secretary, Camille Mojar by telephone at 303-866-3567 ext. 8136, or by email at Camille.Mojar@state.co.us on the Monday prior to the Board Hearing to confirm exactly which day your item will appear before the Board. If you have any questions about this letter or the hearing, you may contact Amy Eschberger by telephone at 303-866-3567, ext. 8129 or by email at Amy.Eschberger@state.co.us.

Sincerely,



Russ Means
Minerals Program Director

Signing on behalf of:

Virginia Brannon
Division Director

CERTIFIED MAIL NO. 7017 2400 0000 9119 2676
Return Receipt Requested

cc: Russ Means, DRMS
Michael A. Cunningham, DRMS
Amy Eschberger, DRMS
Jeff Fugate, AGO

To submit your past due annual report, map, and fee and pay your civil penalty online now, visit the following weblink: https://dnrforms.state.co.us/Forms/DRMSeForms_LandingPage

If you have not yet set up your ePermitting account, visit the following weblink to get started:
<http://mining.state.co.us/Pages/ePermitting.aspx>