



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

November 18, 2019

Kent Beach
Seifert Construction dba Seifert Enterprises, LLC
198 Range View Loop
Westcliffe, CO 81252

**Re: Seifert Pit, Permit M-1985-040;
Revision Required Corrective Actions for the June 2019 Inspection**

Dear Mr. Beach,

On November 15, 2019 the DRMS sent you an inspection report for the June 19, 2019 inspection. A copy of the report was also emailed to Stephanie Carter with the BLM. The DRMS received an email response from the BLM on November 15, 2019 indicating they had contacted Seifert Construction on June 8, 2018 after reviewing the DRMS 2017 annual report. They deemed the 2016 activity a problem as the Seifert Pit lease with the BLM expired in 2005. The BLM was told by Seifert Construction the March 2016 activity had been provided in error and that the actual last mine activity was in 2005. Subsequently, the DRMS reviewed records provided by Seifert and found a June 8, 2018 email from Seifert Construction confirming the 2005 date, although we have no record of receiving a revised 2017 annual report.

The two corrective actions in the 2019 inspection report were predicated on annual report records received by the DRMS indicating the last mining activity was in March 2016, specifically the 2017 annual report. As this was erroneous information and given the last mine activity was 14 years ago, entering temporary cessation (TC) is no longer an option, pursuant to Rule 1.13.9: "In no case shall Temporary Cessation be continued for more than ten (10) years without terminating the mining operation and fully complying with the Reclamation Plan requirements of the Act and these Rules". As such the 2019 Inspection Report **Corrective Action for Problem No. 1** is hereby revised with a 30-day deadline to either: A) provide the DRMS with a letter declaring the beginning of final reclamation (which needs to be completed within five years, pursuant to Rule 3.1.3); or B) reactivate the mine demonstrating mining activity and providing a copy of a renewed lease with the BLM, pursuant to Rule 6.4.14.

Likewise, the 2019 Inspection Report **Corrective Action for Problem No. 2** is hereby revised. If a letter declaring the beginning of final reclamation is submitted, the DRMS will not require a technical revision (TR) be submitted to correct the permit boundary map to reflect the actual access



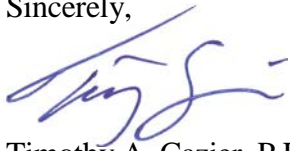
Mr. Kent Beach
November 18, 2019
Page 2

road alignment. However, if Seifert Construction opts to reactivate the mine, this TR will be required.

In summary, for Corrective action No. 1; **by December 18, 2019, Seifert Construction must either submit a formal letter committing to beginning final reclamation, or reactivate the mine with a renewed BLM lease.** Similarly, for Corrective action No. 2; **if** the mine is reactivated, **Seifert Construction must submit a Technical Revision, also by December 18, 2019 correcting the permit map to reflect the as constructed access road.** If entering final reclamation, this TR is not required.

If you have any questions, please contact me at (303) 866-3567, ext 8169.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy A. Cazier'.

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

ec: Michael Cunningham, DRMS
DRMS file
Stephanie Carter, BLM
Ken Klco, Azurite, Inc.