



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

May 21, 2020

Rudolph Fontanari
3316 E 3/4 Road
Clifton, CO 81520

RE: Western Slope Flagstone Quarry No. 2, File No. M-1996-076, Request for Technical Revision

Dear Mr. Fontanari:

On May 6, 2020 the Division of Reclamation, Mining and Safety (Division) received a letter via email from Mr. Henderson on behalf of Mr. Fontanari. The May 6th letter stated that Mr. Fontanari would be resuming water applications to fields adjacent to the permit boundary of M-1996-076, otherwise known as Western Slope Flagstone Quarry No. 2.

Mr. Fontanari's permitted site has been under a Cease and Desist Order for water application and retention since July 12, 2019. In addition, MLRB Order, MV-2019-023, states "the Operator shall Cease and Desist any application of water within the permit boundary, with the exception of water that may be applied with water trucks pursuant to the approved mine plan for dust suppression to the affected lands.

Based on the information received in your May 6th letter, Mr. Fontanari shall submit a Technical Revision, with the required \$216 revision fee, to clarify and provide specifics as to how the proposed off-site activities may impact the permitted area. Specifically, Mr. Fontanari must provide detailed information in the Technical Revision regarding how water will be conveyed and managed through the permit area. As both surface water flows and tail water have the potential to flow through the permitted site, infiltrate the soils and retain water in the lower excavated pit areas. The Technical Revision must be submitted in writing to the Division's Denver office and directly address these issues.

If you have questions or concerns, please contact Scott Schultz, Assistant Attorney General at the Natural Resources Section of the Ralph L. Carr Colorado Judicial Center, 1300 Broadway, and 10th Floor, Denver CO 80203 or via email at Scott.Schultz@coag.gov

Sincerely,



A handwritten signature in blue ink that reads "Amy Yeldell". The signature is written in a cursive, flowing style.

Amy Yeldell
Environmental Protection Specialist

Ec:
John R. Henderson, Attorney
Russ Means, DRMS
Travis Marshall, DRMS
Scott Schultz, AGO