



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman St. Room 215
Denver, CO 80203

May 13, 2021

Melvin J. Brandstadt
19239 G Road
Delta, CO 81416

**RE: NOTICE OF VIOLATION NO. MV-2021-007,
CIVIL PENALTIES, AND CEASE AND DESIST ORDER
Brandstadt Rock Pit (Permit No. M-1986-004)**

Dear Mr. Brandstadt:

C.R.S. 34-32.5-116(3)(a) and (b) and Permit No. M-1986-004 require you to submit to the Division of Reclamation, Mining and Safety (the "Division") an annual fee, map and report, due on or before January 24 of each year. The annual fee required for your permit is \$323.00. As of the date of this letter the Division has not received your submittal, which was due January 24, 2021.

Therefore, you are in violation of the above cited statute and the provisions of your Permit No. M-1986-004. Pursuant to C.R.S. 34-32.5-124, the Mined Land Reclamation Board hereby assesses Notice of Violation **MV-2021-007**, Civil Penalties in the amount of \$323.00, and an Order to Cease and Desist from all mining related activities associated with Permit No. M-1986-004.

Due to the impacts of COVID-19 on availability of State facilities and Division resources, notice is hereby given the June 23-24, 2021 Mined Land Reclamation Board hearing will be by a virtual Zoom hearing. The Formal Public Hearing will occur 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submit all past due annual fees, reports, and maps, and the Civil Penalties Friday, June 18, 2021, this matter will be withdrawn from Board consideration and the scheduled hearing will be vacated.

NOTE: 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.



Please contact Camille Mojar of the Division at (303) 866-3567 ext. 8136 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, please contact Amy C. Yeldell at (303) 866-3567 ext. 8183 or Amy.yeldell@state.co.us.

Sincerely,



Russ Means
Minerals Program Director

Signing on behalf of:

Virginia Brannon
Division Director

CERTIFIED MAIL NO. 7017 2400 0000 9119 4137
Return Receipt Requested

cc: Travis H. Marshall, DRMS
Amy C. Yeldell, DRMS
Jeff Fugate, AGO

To file your report, upload your map, and pay your fee online now, go to the link below:
https://dnrforms.state.co.us/Forms/DRMSeForms_LandingPage

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

There are detailed instructions on how to file your report, upload your map, and pay your fee in the ePermitting User's Manual at:

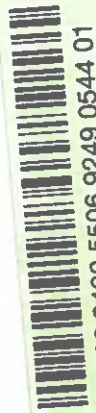
<https://drms.colorado.gov/information/epermitting>

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Address

Melvin J. Brandstadt
19239 G Road
Delta, CO 81416



9590 9402 5506 9249 0544 01

2. Article Number (Transfer from service label)

7017 2400 0000 9119 4137

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent

X ☒ Addressee ☐ Date of Delivery

B. Received by (Printed Name)

C. Is delivery address different from item 1? ☐ Yes ☐ No

D. If YES, enter delivery address below:

3. Service Type
- ☐ Adult Signature Restricted Delivery
 - ☐ Adult Signature Restricted Delivery
 - ☐ Certified Mail®
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery (over \$500)
 - ☐ Priority Mail Express®
 - ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☐ Return Receipt for Merchandise™
 - ☐ Signature Confirmation™
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Domestic Return Receipt