



**COLORADO**  
**Division of Reclamation,  
Mining and Safety**  
Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, CO 80203

September 23, 2021

Larry and Christine Tortorice  
17517 County Road 83  
Trinidad, Colorado 81082

**RE: Valco T Pit, DRMS Permit Number M-2004-043, Request for Temporary Cessation (TC2)  
Adequacy Review No. 1**

Dear Mr. and Mrs. Tortorice,

The Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received an application for the operation to enter into temporary cessation (TC2) pursuant to Rule 1.13 on June 14, 2021. The application was deemed incomplete on June 21, 2021 because you had not submitted the entire fee required for a temporary cessation application. The Division received the additionally required fee for the application on July 30, 2021. The application was deemed complete and filed on August 4, 2021. As soon as the issues identified in this letter are addressed to the Division's satisfaction, a hearing for consideration of your TC2 application will be scheduled before the Mined Land Reclamation Board in accordance with Rule 1.13.6.

Based on the annual reports submitted by the you for this site, the last known date of mining activity reported was September 29, 2014. Given this, the first term of temporary cessation will be considered to have initiated on March 28, 2015, 180 days after September 29, 2014 in accordance with Rule 1.13.5(1)(a). The Division will consider the TC2 application as a request for a second term of temporary cessation in accordance with Rule 1.13.5(3).

On September 13, 2021, per Rule 1.13.5(4)(a), the Division conducted an inspection of the site to verify compliance with the Act and Construction Materials Rule and Regulations. The inspection report is enclosed for your review and response. In accordance with Rule 1.13.5(3) and (4) please address the following items regarding your TC2 application and site inspection:

1. Please provide an explanation as to why the operation has not recommenced or why reclamation has not begun?
2. Please clarify your plan for the resumption of mining operations at the site by the end of the requested period of temporary cessation?



3. The TC2 application states the initial five year period of temporary cessation began on June 8, 2021. However, as discussed above, the last known date of mining activity at the site was September 29, 2014. Therefore, the date of the initial five-year period of temporary cessation will be considered March 28, 2015. The end of the first term of temporary cessation will be considered to be March 28, 2020. Given this, the Division will consider the TC2 application as a request for a second term of temporary cessation in accordance with Rule 1.13.5(3). If the TC2 application is approved by the Board, the second term of temporary cessation should expire on March 28, 2025. Please acknowledge this and verify you concur with the date of initiation of the initial period of temporary cessation and the proposed expiration date of the second term of temporary cessation?
4. The Division cited two problems in the September 13, 2021 inspection report. Both of these problems will need to be resolved to the satisfaction of the Division prior to scheduling the TC2 application for Board consideration. Please comply with the corrective action and due dates cited in the September 13, 2021 inspection report. DRMS will conduct a followup inspection to verify compliance with these items.

This concludes the Division's review of the TC2 application. The Division requests that you respond to these items by October 25, 2021. If you have any questions, please feel free to contact me at [Jared.Ebert@state.co.us](mailto:Jared.Ebert@state.co.us) or at (303) 866-3567 ext. 8120.

Sincerely,



Jared Ebert  
Senior Environmental Protection Specialist

Enclosures: *September 13, 2021, DRMS Inspection Report.*