



June 16, 2022

Notice of:

**Pre-hearing Conference; July 7, 2022 and
Formal Board Hearing; July 20-21, 2022
For 110c to 112c Permit Conversion Application with Public Objections;
Denver Brick, Golden Mine, Permit M1976-007UG**

Dear Party or Interested Person:

The Division of Reclamation, Mining and Safety (Division) appreciates you taking time to participate in the review process of the above referenced permit application. The application for the Golden Mine 110c to 112c conversion was filed with the Division on September 8, 2021 by Denver Brick. The decision date for the application has been extended until July 31, 2022.

The Division has received timely written objections to the Application. Therefore, pursuant to Rules 1.4.9(2)(a) and 1.7.4(2), the Division has scheduled this matter for consideration by the Colorado Mined Land Reclamation Board (Board) at the July 20-21, 2022 Board meeting.

The Division's authority is limited to enforcement of the Colorado Land Reclamation Act for the Extraction of Construction Materials, 34-32.5-101, *et seq.*, C.R.S. (Act) and the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials (Rules). A copy of the Construction Materials Act and Rules are available through the Division's website.

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Pre-Hearing Conference:

Pursuant to Rule 2.7, the Division has scheduled a Pre-hearing Conference to occur on July 7, 2022 beginning at 1:00 p.m. The Pre-hearing Conference will be held to describe the Division's review process, to explain the rights and responsibilities of parties, to discuss and resolve issues to the extent possible, to describe the Board hearing processes, to propose a list of issues under the Board's jurisdiction, to simplify that list, and to identify parties. The Board has appointed Mr. Jason Musick to preside as the Pre-hearing Conference Officer.

In preparation for the Pre-hearing Conference, all parties are strongly recommended to review Rules 2.6 and 2.7. At the Pre-hearing Conference all parties must provide the Division with an electronic copy of potential witnesses and exhibits for the Board hearing. Pursuant to Rule 2.6(2)(a), the list must include each witness name, current address, and phone number, area of expertise (if expert witness), and the subject matter of the testimony.



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Pursuant to Rule 2.6(2)(b)(i), for any materials not already in the Division's public files, all parties must provide complete copies of any exhibits for the Board hearing.

Pursuant to Rule 2.6(2)(b)(ii), for any materials that are already in the Division's public files, all parties must provide copies of the list of materials to be used with sufficient specificity to describe the exhibit, including but not limited to the specific title or description of each exhibit. The list must also specify where other parties may review and obtain a copy of each exhibit.

Pursuant to Rules 2.6(2)(b)(i) and (ii), each party to the hearing shall provide copies of all materials mentioned above to all other parties to the hearing. All witness and exhibit lists, exhibits, motions, and responses to motions for this Application shall be submitted via email to the Board Administrator, Camie Mojar at Camille.Mojar@state.co.us. **Please ensure that all materials submitted to the Board Administrator are properly identified and in .PDF format.** Due to the number of parties in this matter, document exchange between parties will be handled electronically through the Division's website. All materials submitted to the Board Administrator will be available for viewing at this link: <https://drms.colorado.gov/golden-mine-conversion-application-cn1-file-no-m1976007ug>.

Pursuant to Rule 2.7.3(4), any party who does not attend the Pre-hearing Conference forfeits its party status and all associated rights and privileges, unless such party provides a fully executed proxy authorization form to the Pre-hearing Conference Officer, and the party's authorized representative is present. An official proxy authorization form may be accessed through the Division's website at this link: <https://drive.google.com/file/d/1oaUOJvDsgWeHNryJjZi6BXfzyYjTdvw9/view>.

Prior to the Pre-hearing Conference, the Division will issue its recommendation to the Board for approval, approval with conditions, or denial of the Application. A copy of the Division's recommendation and rationale document will be provided to all parties and interested persons.

The Division will be holding the Pre-Hearing Conference via Zoom meeting using the following link:

Event:	Pre-Hearing Conference
Date:	Thursday, July 7, 2022
Time:	1:00 pm – 3:00 pm
Link:	https://us02web.zoom.us/j/83838363999?pwd=anBBY1I3V2FteXBEdG1QVnVQRTdlQT09

Formal Board Hearing:

The Division has received timely written objections to the Application. Therefore, pursuant to Rules 1.4.9(2)(a) and 1.7.4(2), the Division has scheduled the Application for a formal Board hearing for consideration. The hearing has been scheduled for the **July 20-21, 2022** Mined Land

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Reclamation Board (MLRB) meeting, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. During the hearing, the Board will consider the Application with objections and may decide to approve, approve with conditions, or deny the Application. Pursuant to Rule 2.8.1(1), any party who does not attend the Board hearing forfeits its party status and all associated rights and privileges.

The Formal Board Hearing will be held via Zoom meeting using the following links: (Please note the Board Hearing has been scheduled for two days and separate Zoom meeting links must be used to access the meeting for each day)

Event:	Formal Board Hearing
Date:	July 20, 2022
Time:	9:00 am
Link:	https://us02web.zoom.us/j/82400944757?pwd=NGs4NmY5NFQzd0VBRkdKOWVsK0JnZz09

Event:	Formal Board Hearing
Date:	July 21, 2022
Time:	9:00 am
Link:	https://us02web.zoom.us/j/87218020476?pwd=MVlyYTV6bllUSlpKbFJ4ZXAvNS9nUT09

If you have any questions, you may contact me by email at eric.scott@state.co.us

Sincerely,



Eric Scott

Environmental Protection Specialist