



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

October 5, 2023

Linda Bates O'Brien  
P. O. Box 920/ 6229 Lacy Lane  
Johnstown, Colorado 80534

**RE: Response to Citizen Complaint, Kirtright Pit, Permit File No. M-1986-123**

Dear Ms. O'Brien,

On September 1 and 15, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received your initial and follow-up complaints regarding earthwork activities at the Kirtright Pit, M1986-123. The Operator's responses to your complaints were sent to you on September 18 and October 5, 2023.

On September 20, 2023 during the Mined Land Reclamation Board (Board) hearing the Board found Coulson Excavating Company, Inc. (CEC) in violation of C.R.S. § 34-32.5-109(1) for failure to obtain a reclamation permit prior to engaging in a new operation for affecting 4.7 acres outside the approved permit boundary. During the hearing, the Board issued a Cease and Desist Order prohibiting any further mining activities, except those activities approved by the Division, in writing, as necessary to comply with the conditions of the Order, prevent damage to off-site areas, or to protect public health and safety, until corrective actions have been resolved to the satisfaction of the Division.

On October 5, 2023 the Division issued a comment letter informing CEC that all activities at the site need to stop immediately until a reclamation plan has been revised in accordance with the Board's ordered corrective action.

If you need additional information or have any questions, please contact me by telephone at **303-866-3567 x8114**, or by email at [patrick.lennberg@state.co.us](mailto:patrick.lennberg@state.co.us).

Sincerely,

Patrick Lennberg  
Environmental Protection Specialist



cc: Jared Ebert, DRMS

ec: Linda O'Brien, [lindabatesobrien@gmail.com](mailto:lindabatesobrien@gmail.com)  
Dan Giroux, Terramax, Inc., [dangiroux@terramax.us](mailto:dangiroux@terramax.us)