



Mr. Lucas West  
Environmental Protection Specialist  
Mineral Program  
Colorado Division of Reclamation  
And Mine Safety  
lucas.west@state.co.us

September 20, 2023

Dear Mr. West:

Pursuant to the Stipulated Settlement Agreement Between the Division of Reclamation, Mining, and Safety and Butala Construction Company, submitted July 15, 2023 ("Agreement"), and the Cease and Desist Order issued with the MLRB Board Order of August 21, 2023, we hereby request approval to process, sell and remove from the Mine the non-impacted stockpiled materials sampled and analyzed by Pinyon Environmental. As designated and discussed in Pinyon Environmental's Stockpile Sampling Report dated September 6, 2023 (provided herewith), stockpiles 1, 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24, 109a, 109b, 109c, 109d, 109e, 109f, 110, 111, 112, 113, and 115, were found to not have concentrations of polyaromatic hydrocarbons exceeding the applicable screening levels. Butala therefore requests permission to sell materials from the above stockpiles.

We look forward to your response.

Charles Kellerman  
Charles Kellerman (Sep 25, 2023 12:35 MDT)

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Charles Kellerman  
Vice President  
Butala Construction Company


# 2023-09-25 DRMS Operation Request (Sale of Non-Impacted Stockpiles)

Final Audit Report

2023-09-25

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