



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

March 18, 2024

Dustin Hribar  
Huerfano County  
1038 Russell Ave  
Walsenburg, CO 81089

**RE: EXTENSION REQUEST, PEAK VIEW PIT, PERMIT NO. M-2014-028, CORRECTIVE ACTIONS**

Dear Mr. Hribar,

On March 18, 2024, the Division received an extension request to extend the corrective action date for the violation found at the February 2024 MLRB hearing for the Peak View Pit (Permit No. M-2014-028). However, the corrective action date for submitting an Amendment application in an approvable form within statutory deadlines is set for 90 days within the effective date of the Board Order. Additionally, the Civil Penalty is due within 30 days of the effective date of the Board Order. The Board Order for the February 2024 meeting has not yet been issued, therefore the deadline has not yet been set.

In the Division's December 12, 2023 inspection report, the following problems were cited:

- 1. INSPECTION TOPIC:** Gen. Compliance With Mine Plan  
**PROBLEM:** The current mine plan needs to be updated and clarified pursuant to C.R.S. 34-32.5-112 (1)(c)(VI). The Operator must provide sufficient information to describe or identify how the Operator intends to conduct the operation.  
**CORRECTIVE ACTIONS:** The Operator shall submit a revision, to update and clarify the current approved mine plan to reflect existing and proposed activities by the corrective action date.  
**CORRECTIVE ACTION DUE DATE:** 3/21/24
- 2. INSPECTION TOPIC:** Off-site Damage  
**POSSIBLE VIOLATION:** Land has been affected outside of the approved permit boundary. This is a possible violation at this time pursuant to C.R.S. 34-32.5-116(4)(i) for failure to protect areas outside of the affected land from slides or damages occurring during the mining operation.  
**CORRECTIVE ACTIONS:** This possible violation will require a hearing before the Mined Land Reclamation Board. The schedule and other details for the MLRB hearing will be provided under a separate document to be sent via certified mail to the Operator.  
**CORRECTIVE ACTION DUE DATE:** Tentative MLRB Hearing Dates – February 21 – 22, 2024



3. **INSPECTION TOPIC:** Sediment Control

**PROBLEM:** Erosion gullies and ruts were observed on-site. This is a problem at this time for failure to protect the affected land from erosion pursuant to C.R.S. 34-32.5-116 (4) (j).

**CORRECTIVE ACTIONS:** The Operator shall provide photo documentation to the Division verifying erosion gullies and ruts have been repaired, and that the site has have been reconstructed and stabilized to prevent erosion damage by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 3/21/24

4. **INSPECTION TOPIC:** Signs & Markers

**PROBLEM:** The majority of the affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by Section 3.1.12(2) of the rule.

**CORRECTIVE ACTIONS:** The Operator shall use the survey map provided with their TR1 application to replace the boundary markers in the correct locations. The Operator shall provide proof to the Division that this has been done by the corrective action date.

**CORRECTIVE ACTION DUE DATE:** 3/21/24

Items #1, #2, and #4 will be addressed with the Amendment. Item #3 for sediment control is the only remaining inspection problem to be addressed outside of the Amendment process.

The Division approves a 30 day extension for item #3. The new corrective action date for repairing the erosion gullies onsite is now set for **April 20, 2024.**

If you have any questions, please send me an email at [amber.gibson@state.co.us](mailto:amber.gibson@state.co.us), or call at 720-836-0967.

Sincerely,



Amber M. Gibson

Environmental Protection Specialist  
Division of Reclamation, Mining and Safety