



Mr. Lucas West
Environmental Protection Specialist
Mineral Program
Colorado Division of Reclamation And Mine Safety
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June 5, 2024

Dear Mr. West:

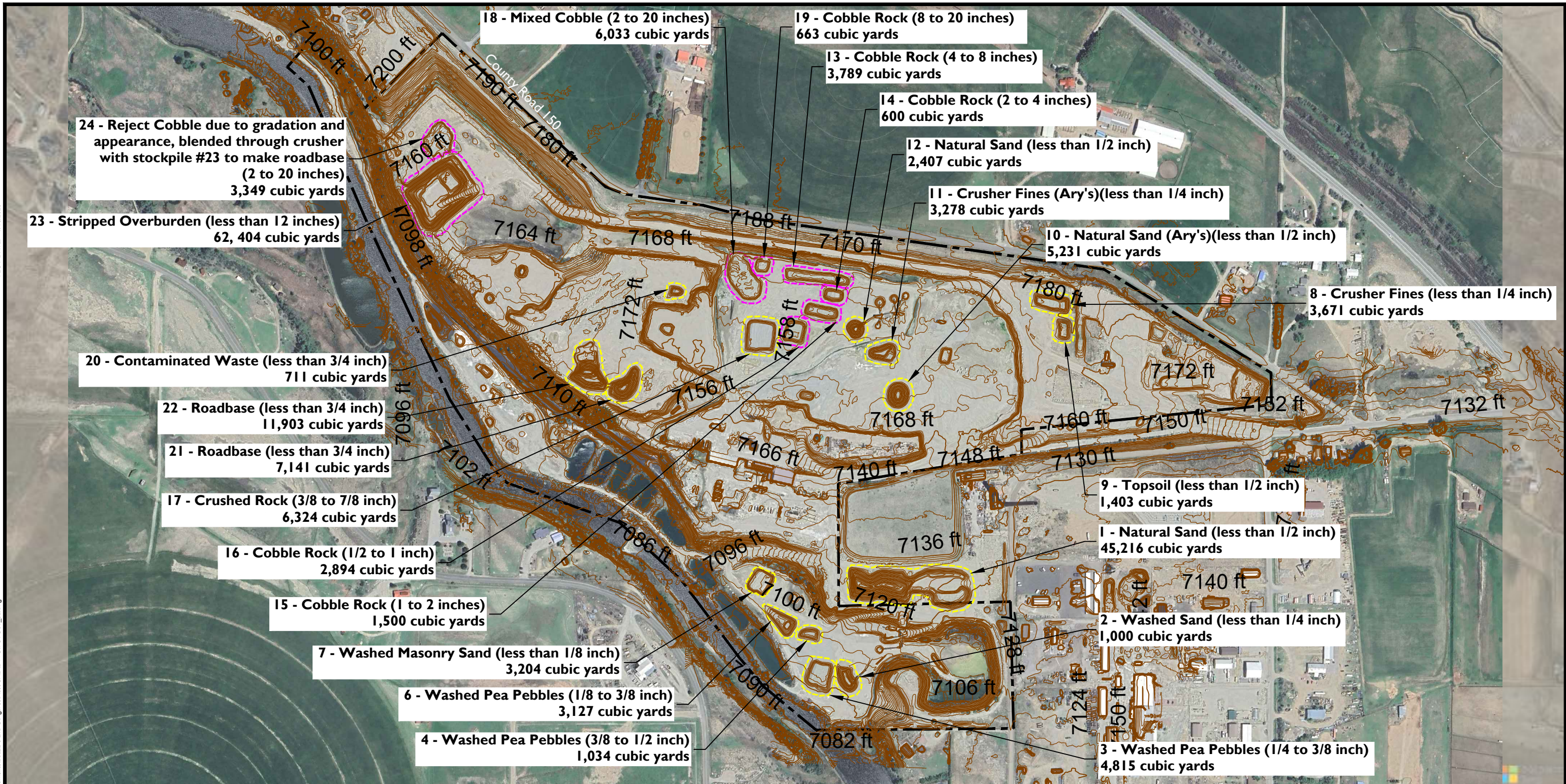
Pursuant to the Stipulated Settlement Agreement Between the Division of Reclamation, Mining, and Safety and Butala Construction Company, submitted July 15, 2023 ("Agreement"), and the Cease and Desist Order issued with the MLRB Board Order of August 21, 2023, we hereby request approval to relocate stockpile 9 (shown on Figure 1 Stockpile Locations Map enclosed with this letter) from its current location near Butala's office to the top of the Mine Restricted Area beside stockpiles 21 and 22 as shown on the Stockpile Locations Map. Per the Stockpile Sampling Report prepared by Pinyon Environmental and dated September 6, 2023, stockpile 9 contains Benzo(a)pyrene at levels above the RSL. The stockpile is composed of topsoil removed from the gravel pit prior to mining, so the PAH impacts are the result of historic wood treatment and/or smelter operations in the area. Butala does not intend to sell, process, or combine stockpile 9 with any other materials, it only intends to move the pile to the top of the Mine Restricted Area near the other impacted stockpiles (20, 21, and 22). Butala therefore requests permission to relocated stockpile 9 as described.

We look forward to your response.

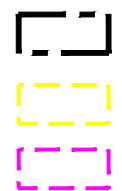
Charles Kellerman
Vice President
Butala Construction Company

PLOT DATE: 7/18/2023

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LEGEND



Approximate Butula Sand and Gravel Property Boundary

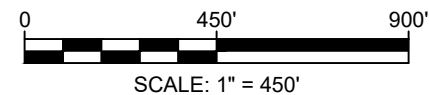
Sampled Stockpile Locations

Visually Evaluated Stockpile Locations



2 foot Existing Contours

Notes:
Imagery Curtsey of Google Earth Imagery: May, 2023
Stockpile #5 to be determined.



BUTALA STOCKPILE LOCATIONS

*Butala Sand & Gravel
Salida, Colorado*

Site Location: Section 25, T 50N, R 8E, New Mexico Meridian

Pinyon Project Number: 1/22-1507-01.001

Drawn By: SJA

Figure: 1

Reviewed By: DW

Date: 7/18/2023

Coordinate System: NAD83 COLORADO STATE PLANES, SOUTH ZONE, US FOOT - CO83-SF