

4/19/2012

Matt Carnahan  
Oldcastle SW Group, Inc.dba Four Corners Materials  
6699 CR 521  
Bayfield, CO 81122

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Piñeda  
Director

***Oldcastle SW Group, Inc.dba Four Corners Materials, File No. M-2011-028  
Animas Glacier Gravel (AGG), 112(c) Permit Application, Consent Agenda Summary Form***

Dear Mr. Carnahan,

Enclosed you will find the Staff Summary Form for the Consent Agenda item for the consideration of the permit application deadline for the above referenced site. Please review the Consent Agenda Summary Form carefully. If you do not wish to add any testimony to the consideration, please sign and notarize the enclosed form and return the original signed, notarized copy to the Division of Reclamation, Mining and Safety (Division) by Tuesday, April 24, 2012.

If you wish to proceed with a hearing in order to address the Mined Land Reclamation Board (MLRB), please inform me as soon as possible, but by no later than April 24, 2012, so that the matter may be scheduled for a hearing during the May 9 & 10, 2012 MLRB meeting.

If you require additional information, have questions or concerns, please contact me at the DRMS Durango Field Office at 691 Cr 233, A-2, Durango, CO 81303, Phone: (970) 259-5861, Fax: (970) 247-5104.

Sincerely,

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Kate Pickford  
Environmental Protection Specialist

CERTIFIED MAIL NO.

Return Reciept Requested

Enclosure: STAFF SUMMARY FORM FOR CONSENT AGENDA ITEMS

Cc: Steve Shuey, DRMS GJFO

STAFF SUMMARY FORM FOR  
CONSENT AGENDA ITEMS

<b>Date</b>	4/19/2012	<b>Operator</b>	Oldcastle SW Group, Inc.dba Four Corners Materials
<b>Permit No.</b>	M-2011-028	<b>Site Name</b>	Animas Glacier Gravel (AGG)
<b>Specialist</b>	Kate Pickford	<b>Objecting Party</b>	NA

**Action:**

- ☐ Permit Application with objections  
☐ Violation  
☐ Extension of Board-ordered deadline  
☒ Other (specify) **Consideration of the Applicant's request to extend the decision deadline beyond 365 days after the application was found complete, per Rule 1.4.1(9)**

**Resolution:**

This item is for Board consideration of the Applicant's request to extend the decision date for the above 112c permit application where the Division of Reclamation, Mining and Safety's (Division) found the original application complete on May 20, 2011. In the interim, the original Applicant transferred the application to the current Applicant, who had purchased the property included in the proposed permit.

**Chronology:**

- May 20, 2011 - The Division of Reclamation, Mining, and Safety (Division) found the application for the Animas Glacier Gravel (AGG) permit complete.
- June 13, 20, & 22, 2011 – The Division received comments from other agencies related to the application. The representatives of the other agencies expressed a desire to have party status.
- June 29, 2011 – The Division sent a letter to the Applicant identifying adequacy issues related to the application, including the fact that the Applicant had an expired lease pertaining to legal right of entry.
- October 19, 2011 - The Division received a transfer of Mineral Application and Succession of Permit Applicant application transferring the permit from Weeminuche Construction Authority to Oldcastle SW Group, Inc.dba Four Corners Materials.
- November 18, 2011 – The Division approved the transfer of the application.
- March 15, 2012 – The Division received documents from the Applicant addressing the outstanding adequacy issues related to the application.
- March 27, 2012 – The Division conducted a pre-operational inspection of the site. Parties who submitted comments were present at the inspection.
- April 3, 2012 – The Applicant submitted further engineering information related to continued concerns about drainage at the site.
- April 18, 2012 – A followup meeting including the Division, Applicant, and parties was held, and concerns were still left unresolved.
- April 18, 2012 – An engineering review performed by the Division's staff engineer identified a number of outstanding issues related to drainage at the site.

**Division Recommendation:**

The Division believes the applicant needs additional time to address the concerns of the Division and the parties, and that if the decision date is extended for 60 days beyond the Rule-imposed deadline, the Applicant will be able to submit the necessary materials to allow the Division to recommend approval of the application. **Therefore, the Division makes the following recommendations:**

- **The Board approve the Applicant's request to extend the decision deadline for this application to 60 days beyond the current decision deadline of May 20, 2012.**

**Operator(s) Signature:**

By signing this form, the Operator agrees with the Division recommendations to the Board.

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Operator Signature

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Date

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Notary Public

My Commission expires: \_\_\_\_\_