

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



June 1, 2012

Ignacio Vasquez Sr.
P.O. Box 938
Lyons, CO 80540

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

RE: Perdue; DRMS File No. M-2000-089; Outstanding Corrective Action

Dear Mr. Vasquez,

At the April 2012 Mined Land Reclamation Board (Board) Hearing, the above referenced operation was found to be in violation of the Act pursuant to section 34-32.5-124, C.R.S., for failure to comply with an order, permit or regulation and in violation of the Act pursuant to section 34-32.5-118(1)(b), C.R.S. for failing to cure a default under a performance warranty. The Board issued the Findings of Fact, Conclusions of Law and Order (Order) for the April Hearing on May 1, 2012. The Board Order required the Operator to provide all materials necessary for a 112c conversion application by May 31, 2012.

The Division received the conversion application on May 22, 2012. However, the conversion application was not submitted with the required \$2,696 Filing Fee. In addition, the application was only partially completed and did not contain any of the required exhibits which must accompany the submittal. Therefore, the Operator has not complied with the May 1, 2012 Board Order. The Division will grant the Operator an additional 30 days to provide all materials necessary for a 112c conversion application. If the Operator has not submitted a complete application by July 2, 2012, then this matter will be scheduled before the Board for a possible revocation of the reclamation permit and forfeiture of the financial warranty.

If you have any questions, you may contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Cunningham".

Michael A. Cunningham
Environmental Protection Specialist

CC: Tom Kaldenbach, DRMS