

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

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October 23, 2012

Emery Lynn Olin
Bridal Veil Construction
P.O. Box 1821
1796 N. Main Street
Ouray, CO 81427

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

**RE: Second Extension to a Corrective Action Deadline Approved,
Bridalveil Pit, Permit No. M-2001-054.**

Dear Mr. Olin:

On October 19, 2012, the Division received your correspondence, dated October 18, 2012, requesting a 10-day extension to a corrective action deadline regarding maintenance of the stormwater control structures at the Bridalveil Pit. This is the second request for extension from the Operator whereby the stormwater control structures must be maintained in accordance with the approved designs. This second extension moves the deadline from October 26 to November 5, 2012.

As explained in the Division's inspection report, signed September 12, 2012, and correspondence dated October 11, 2012, the Bridalveil Pit exhibits a high potential for off-site damage. The potential for off-site damage is somewhat minimized by the stormwater control structures, designed and certified to address the 10 year, 24 hour, storm event. Therefore, the stormwater control structures are an essential component of the operation and must be maintained in a state of readiness for an intense storm event. Additionally, the stormwater control structures must be maintained prior to snowfall and/or ground freeze to ensure they are prepared for spring run-off.

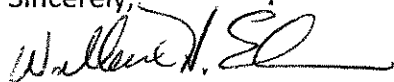
Given the approaching winter season this is the last extension the Division will approve for maintenance of the stormwater control structures. Failure to comply by November 5, 2012, will result in the Division pursuing enforcement action.

Therefore, the status of the three problems identified by the Division in its inspection report generated from the August 29, 2012 inspection, signed September 12, 2012, is as follows:

1. Financial Warranty - Pursuant to Rule 4.2.1(2), the Operator shall submit adequate financial warranty, totaling not less than \$15,015.46, due November 12, 2012. (original deadline intact and not extended)
2. Sediment Control – By November 5, 2012, the Operator shall repair the stormwater control channel and basin to fully comply with the approved plan, control erosion, and protect outside areas from damage. By November 5, 2012, the Operator shall provide photo documentation to the Division verifying the completion of repairs for all portions of the stormwater control structures. (original 30-day deadline extended 24 days)
3. General Compliance with Mine Plan – By October 12, 2012, the Operator shall provide a notarized affidavit stating that the unauthorized fill materials, imported by the Operator without prior approval by the Division, is inert and addressing all requirements of Rule 3.1.5(9). The Division has received the notarized affidavit and the Operator has complied with the corrective action deadline imposed by the Division.

Please contact me at the Division's office in Durango at 691 County Road 233, Suite A-2, Durango, CO 81301, phone (970) 247-5469, if you have any questions.

Sincerely,



Wallace H. Erickson
Environmental Protection Specialist

Ec: Connie Wurst, manager of Bridal Veil Construction
Russ Means, DRMS GJFO