

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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November 5, 2012

Bob Sutherland
West End Gravel Company
P.O. Box 889
Nucla, CO 81424

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Pineda
Director

RE: West End Pit, Permit No. M-1994-011, Abatement of Board Ordered Violations MV-2012-021 and MV-2012-022

Dear Mr. Sutherland:

On June 28, 2012 the Mined Land Reclamation Board sent out a Board Order finding West End Gravel in violation of the Act and Rules for failure to reclaim within 5 years of cessation of mining and failure to post a financial warranty increase. West End Gravel was ordered to begin reclamation of the site and to have sufficient reclamation completed by August 25, 2012 to reduce the reclamation per MV-2012-021. All reclamation except an established vegetation cover was required by October 24, 2012 per MV-2012-022.

Staff visited the site unofficially numerous times over summer and noted that by August 25, 2012 sufficient reclamation had been completed to reduce the liability down to the \$50,075.00 held through the Corporate Surety in place. Therefore MV-2012-021 is considered abated.

As noted above, under the Board Order West End Gravel was to have all reclamation completed by October 24, 2012. An inspection notes that as of this date all reclamation is complete with the exception of some minor dressing up of topsoil along slopes and the old pit floor. The operator is waiting for weather conditions that are favorable to seed in the next 30 days to complete the reclamation process except for establishment of the required vegetation. As long as seeding occurs within that time span the Division will consider the violation MV-2012-022 abated. However, if West End Gravel fails to seed prior to winter setting in the operator will be in violation of the Board Order and additional enforcement action may be initiated. A final inspection once seeding is completed will be required. **Please notify the Division upon completion of seeding and provide seed bag tags.**

An amendment will be required to change a portion of the site into agriculture for use as a feedlot as proposed by the operator and landowner. By completing that process that area can be released upon approval for the landowner's use. However, West End Gravel remains responsible for the area under the permit until that process is complete. While not immediately required it would be to West End Gravel's and the landowner's advantage to complete the process as soon as possible.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 S. 3rd St., Suite 301, Grand Junction, Colorado 81501, by telephone at 970.241.1117, or by e-mail at russ.means@state.co.us.

Sincerely,



G. Russell Means
Senior Environmental Protection Specialist
West Slope Field Office Supervisor