

MINED LAND RECLAMATION BOARD MEETING

AGENDA

NOVEMBER 16, 2016

Public Notice in conformance with the Colorado Open Meetings Law: The Colorado Mined Land Reclamation Board will hold its monthly meeting on Wednesday/Thursday, November 16, 2016 at 1313 Sherman Street, Room 318, Denver, Colorado, beginning at 9:00 a.m., unless otherwise noticed.

Due to the statutory deadlines and other responsibilities and requirements, the following Mined Land Reclamation Board meeting agenda will be revised up to the day of the meeting. If you have any questions on specific agenda items, please contact Johnie Abad, Board secretary, at 303.866.3567, ext. 8136 or at Johnie.A.Abad@state.co.us

In accordance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and or services for the meeting may call Johnie Abad at 303.866.3567, ext. 8136.

The audio broadcast of proceedings of the Colorado Mined Land Reclamation Board is provided only as an informational service. Service may be temporarily unavailable or limited, due to technical difficulties and bandwidth limitations, and could result in loss of audio signals or in the impairment of the quality of the transmission. mms://165.127.23.236/DRMS_Stream

-
1. *Approval of the October 2016 Summary of Minutes*
 2. *Approval of Continuances and Withdrawals*
 3. *Executive Director's Office and Division Director Reports*
 4. *Consent Agenda*

A. Consent Agenda

Scott Davis
Schmidt Construction Company
2635 Delta Drive
Colorado Springs, Colorado 80910

...File No. M-1982-155

El Paso County: Section 13, T16S, R66W, 6th P.M., 742.8 acres, SDG – Sand & Gravel; Fountain Pit. Consideration of a request for reconsideration of a previous approval of an amendment application. (Tim Cazier)

Note: All presentation times have been estimated. The Board may rearrange the Agenda after the Call to Order.

November 15, 2016 10:00 AM

B. Consent Agenda

Donald O. Rooks
14241 Canyon Vine Cove
Draper, Utah 84020

...*File No. M-1982-116-R*

Rio Blanco County: Section 8, T1N, R102W, 6th P.M., 65 acres, 112c – Gravel; Donald O. Rooks. Consideration of recommendation to reinstate a 112c permit that has been revoked to allow operator to reclaim. (Travis Marshall)

C. Consent Agenda

Greg Westoff
Morgan Sand and Gravel Inc.
21215 Hwy 52
Fort Morgan, Colorado 80759

...*File No. M-1977-094*

Morgan County: Section 34, T5N, R58W, 6th P.M., 40 acres, 112c – Sand & Gravel; Westoff Pit. Consideration of a operators request to extend corrective action due date for violation MV-2016-033 by 120 days from October 4, 2016 to February 1, 2017, to address deficiencies in incomplete AM01 submittal. (Eric Scott)

D. Consent Agenda

Southway Construction Company
117 White Pine Drive
Alamosa, Colorado 81101

...*File No. M-1981-153*

Costilla County: Section 21, T30S, R72W, 6th P.M., 40 acres, 112c – Sand & Gravel; Southway Pit. Temporary Cessation, no comments or objections were received, Division staff recommends the board approve the consent agenda item for the status change of the above listed site (Lucas West)

E. Consent Agenda

Southway Construction Company
117 White Pine Drive
Alamosa, Colorado 81101

...*File No. M-1987-040*

Costilla County: Section 21, T1N, R73W, 6th P.M., 40 acres, 110c – Sand & Gravel; Costilla. Temporary Cessation, no comments or objections were received, Division staff recommends the board approve the consent agenda item for the status change of the above listed site (Lucas West)

5. Board Action

Energy Fuels Coal, Inc.

P.O. Box 773457

Steamboat Springs, Colorado 80477

...File No. C-1981-014

Fremont County: Section 30, T20S, R69W, 6th P.M., 2,735.20 acres, Southfield Mine. Consideration of an objection to a bond release application. (Rob Zuber) **10** minutes

6. Formal Public Hearing

Aggregate Industries – WCR Inc.,

1687 Cole Blvd, Ste 300

Golden, Colorado 80401

...File No. M-2004-031

Adams County: Section 9, T2S, R67W, 6th P.M., 204 acres, 112c – Sand and Gravel; Hazeltine Pit. Consideration of application AM01 over objections. (Eric Scott) **3** hours

7. Enforcement Hearing

Robert Blake

Eagle Reclamation LLC

P.O. Box 28277

Atlanta, Georgia 30358

...File No. M-2016-017

Crowley County: Section 10, T21S, R56W, 6th P.M., 4.5 acres, ILL – Gold; Crowley County Mill. Consideration of possible violation, cease and desist order, corrective actions, and civil penalties for failure to obtain from the board or office a reclamation permit prior to engaging in a new operation. (Michael Cunningham) **10** minutes

8. Enforcement Hearing

Norma Heon

Consolidated Empire Gold Inc.

8101 W. 18th Avenue

Denver, Colorado 80214

...File No. M-1982-050

Clear Creek County: Section 21, T3S, R74W, 6th P.M., 3.2 acres, 110(2) – Gold; Grace Mine. Consideration of possible violation, cease and desist order, corrective actions, and civil penalties for failure to post a permit sign at the site entrance, failure to delineate the boundary of the affected area, failure to maintain legal right of entry, and failure to comply with the conditions of an order, permit, or regulation. (Michael Cunningham) 30 minutes

9. Enforcement Hearing

George E. Otten
Central City Consolidated Mining
11438 Weld County Road 19
Fort Lupton, Colorado 80621

...*File No. M-1990-041*

Gilpin County: Section 12, T3S, R73W, 6th P.M., 3.5 acres, 110(2) – Gold; Bates-Hunter Mine. Consideration of possible violation, cease and desist order, corrective actions, and civil penalties for failure to post additional financial warranty within 60 days of the date of notice of adjustment. (Michael Cunningham) 45 minutes

10. Formal Public Hearing

~~Fremont Paving & Redi Mix, Inc.
839 Mackenzie Avenue
Canyon City, Colorado 81212~~

...*File No. M-2016-009*

~~**Pueblo County:** Section 25, T21S, R63W, 6th P.M., 1,517 acres, 112c – Gravel; Pueblo County Aggregate Project. Consideration of a 112c permit application with objections. (Elliott Russell) 6 hours~~

11. Discussion Item

2016 Jack Starner Memorial Reclamation Award

The award honors the outstanding reclamation of aggregate/construction material operations. The award is in memory of Jack Starner who served on the MLRB and provided valuable guidance to the industry, local government, and the environmental community in mined land reclamation. (Tony Waldron) 10 minutes

12. Public Comment

This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. All persons wishing to address the Board should fill out a presentation slip and present it to the Board Secretary.

13. Executive Session

The Board will meet in executive session to discuss the following pending litigation: *Jason Uecker v. MLRB and Division of Reclamation, Mining and Safety*, 2014CV546.