

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

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Denver, Colorado 80203
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John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

December 3, 2013

Glenn Williams
Cotter Corporation
P.O. Box 700
Nucla, CO 81424

RE: JD-9 Mine, File No. M-1977-306, Consent Agenda Summary Form

Dear Mr. Williams:

Enclosed you will find the Staff Summary Form for the Consent Agenda item requesting a second extension of the review period beyond 365 days for the AM-1 application. Please sign and notarize the enclosed form and return the original signed and notarized copy to the Division of Reclamation, Mining and Safety (DRMS) by Friday December 6, 2013.

Please review the Consent Agenda Summary Form. If you wish for a hearing in order to address the issue in front of the Mined Land Reclamation Board (MLRB), please inform me as soon as possible so that the matter may be scheduled for a hearing during the December 11-12, 2013 MLRB meeting.

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) 241-2042, or by e-mail at travis.marshall@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Travis Marshall".

Travis Marshall
Environmental Protection Specialist

Enclosure: Staff Summary Form for Consent Agenda Items

cc: Russ Means, DRMS

COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
STAFF SUMMARY FORM FOR
CONSENT AGENDA ITEMS

Date	12/3/2013	Operator	Cotter Corporation
Permit No.	M-1977-306	Site Name	JD-9 Mine
Specialist	Travis Marshall	Objecting Party	INFORM

Action:

☒ Permit Amendment with objections
☐ Violation
☐ Extension of Board-ordered deadline

Resolution:

NATURE OF ISSUE:

On October 1, 2012 Cotter Corporation submitted an amendment application (AM-1) for the JD-9 Mine to incorporate an Environmental Protection Plan (EPP) into their permit. The application was deemed complete for the purposes of filing on October 11, 2012. The Division received a timely objection to AM-1 from the Information Network for Responsible Mining (INFORM). On September 18, 2013 the Board approved a 90 day extension beyond the 365 day limit imposed by Rule 1.4.1(9). There are still outstanding adequacy review issues and it is unlikely that they can be addressed by the current decision date of January 8, 2014. The Operator and the Division agree that additional time is needed in order to adequately address the outstanding issues. The Operator has requested to extend the decision due date until February 21, 2014. The Division believes that this will allow adequate time for the operator to address the outstanding issues, for the Division to review any new materials submitted by the Operator, and to comply with the public participation process requirements.

STAFF RECOMMENDATION:

Staff recommends the Board approve extending the review period to February 21, 2014.

Operator(s) Signature:

By signing this, the Operator agrees with the request to extend the review period beyond January 8, 2014 to February 21, 2014, as outlined above on the Staff Summary Form for Consent Agenda Items.

Operator Signature Date

STATE OF _____ }

COUNTY OF _____ }

The forgoing instrument was hereby acknowledged before me this ____ day of _____,
____ by _____, who is personally known to me or has provided
_____, as identification, and who signed this instrument willingly.

Notary Public

My commission expires: _____