



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

June 29, 2017

Cotter Corporation
Scott Pottorff
PO Box 700
Nucla, CO 81424

RE: Permits M1977306, M1977310, M1979094HR, Status of Temporary Cessation.

Dear Mr. Pottorff,

On May 7, 2013 the Mined Land Reclamation Board (Board) signed a board order approving Cotter Corporation's request to put the above referenced permits into an initial Temporary Cessation (TC) pursuant to Rule 1.13.5(1)(a) for five (5) years (see attached). Per the request the TC was effective December 15, 2012. Therefore, the TC period ends on December 15, 2017.

Cotter Corporation has three (3) options to address the conclusion of the initial period of TC and comply with the Act and Rules by December 15, 2017.

- 1) Re-commence mining operations that meet the definitions of CRS 34-32-103(8) and Rule 1.1 (31); or
- 2) Declare that the permit is entering into final reclamation pursuant to CRS 34-32-103 (6) (b). The declaration shall include a Technical Revision outlining the tasks and timeframes to accomplish reclamation to meet the five (5) year requirement of Rule 3.1.3(2).
- 3) Request a hearing pursuant to CRS 34-32-103 (6) (a) (III) and Rule 1.13.5 (1)(b) for a second five (5) year TC period before the Mined Land Reclamation Board at the December 20~21, 2017 MLRB meeting. The request must be received by no later than December 1st, 2017 and meet the requirements of Rule 1.13.5 (3).

Failure to initiate one of the three options outlined above by December 15, 2017 will result in the Division providing a sixty (60) day notice to appear before the Board for possible enforcement action and / or a request to declare the termination of life of mine and order final reclamation to commence.



If you have any questions please contact me at 970-241-1117, or by email at russ.means@state.co.us.

Sincerely,



Division of Reclamation, Mining and Safety
Senior Environmental Protection Specialist
Grand Junction Field Office

Ec: Tony Waldron, DRMS Minerals Program Supervisor
Dustin Czapla, DRMS GJFO EPS II
Jeff Fugate, DRMS AGO Counsel

Cc: William Dam, DOE Lease Tract
Ed Cotter, Navarro, DOE Legacy Management

