



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: SM- 18 Mine, No. M1978116, Status of Permit, Temporary Cessation.

Dear Mr. Pottorff,

On May 7, 2013 the Mined Land Reclamation Board signed a board order approving Cotter Corporation's (Cotter) request to put several 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.

Cotter indicated that this site was slated for activities. However, Division records and inspections indicate a lack of mining operations or other activities which are defined in Rule 1.13.2: "Indications of Temporary Cessation" for the above referenced site. Due to this, the SM-18 permit should have been included in the original TC notices effective December 15, 2012.

Cotter must request a Temporary Cessation with retro-active effective date of December 15, 2012 to bring it into line with Cotter's other TC notices. If Cotter does not agree with this assessment the Division is requesting detailed documentation of mining operations and production that have occurred at these locations since December 15, 2012 by August 1, 2017.

Failure submit a TC request with an effective date of December 15, 2012 for the SM-18 or submit the information on mining operations and production will require the Division to bring the matter before the Board under Rule 1.13.8(2) to establish the commencement date via Board Order.

Please note and be aware of the initial five year time limit notice for TC sent to Cotter by the Division. The SM-18 permit must address the second TC issue in similar fashion in regard to upcoming deadlines and requirements that are due December 1, 2017 for Cotter's other TC notices.



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 Manager, Legacy Management.
Ed Cotter, Navarro, DOE Legacy Management

Enclosure: May 7, 2013 Mined Land Reclamation Board Order granting TC

