



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman St. Room 215  
Denver, CO 80203

October 9, 2019

Sara A. Glinatsis  
Sunrise Mining LLC  
P.O. Box 2134  
Monument, CO 80132

**Re: May Day Idaho Mine Complex, Permit No. M-1981-185, Financial Warranty Reduction  
Decision Reconsideration, Revision No. SR-2**

Mrs. Glinatsis:

On October 4, 2019 the Division of Reclamation, Mining and Safety sent an approval letter for your requested Financial Warranty Reduction. Unfortunately, due to an inadvertent oversight, that letter was sent in error and the decision must be reconsidered.

In order to render a decision of the Financial Warranty Reduction the public notice procedures outlined in Hard Rock and Metals Mining Rule 4.17.4 (1) must be completed. As soon as practical, please publish a public notice in a newspaper of general circulation in the locality in compliance with Rule 4.17.4 (2)(b) (Copy Enclosed). The notice must contain the following information;

1. The name of the Mining Operation;
2. The location of the mining operation in relation to the nearest municipality, given direction and miles;
3. A brief statement of what is being requested and that public comments concerning the appropriateness of the requested release should be sent within thirty (30) days of the date of publication to the Office to the address for the Division of Reclamation, Mining and Safety.

Within ten (10) working days after the last publication or as soon thereafter as proof has been obtained, the Operator shall mail proof of the publication to the office. Proof of publication may consist of either a copy of the last newspaper publication, to include the date published, or a certified or notarized statement from the paper.

Once the public comment period has concluded and any issues have been addressed, an official decision will be rendered. If you have any questions, please feel free to contact me at the Division's Grand Junction Field Office, by phone at (970)243-6368 or by email at [lucas.west@state.co.us](mailto:lucas.west@state.co.us).

Sincerely,



**Lucas J. West**  
Environmental Protection Specialist  
Division of Reclamation, Mining and Safety

cc: Travis Marshall, Senior Environmental Protection Specialist

- (3) The written notice requesting release shall be sent by Certified Mail and be separate from other types of communication to the Office.
- (4) Such notice shall contain a signed statement by the Operator or their agent that all applicable portions of the Reclamation Plan requirements have been satisfied in accordance with these Rules and all applicable requirements under the Act.

#### **4.17.2 Office Requirements**

- (1) The Office, upon receipt of said notice of completion of reclamation, shall immediately provide notice to all owners of record to the affected land and to the county(s).
- (2) The Office shall, within sixty (60) calendar days after receiving said notice, or as soon thereafter as weather conditions permit, inspect the lands and reclamation described in the notice to determine if the Permittee has complied with all applicable requirements.
- (3) If the Office fails to conduct an inspection within the time specified in Rule 4.17.2(2), or fails to advise the Permittee of deficiencies within the time specified in Rule 4.17.2(4), then all Financial Warranties applicable to reclamation described in the notice shall be deemed released as a matter of law.
- (4) Where the Office finds that a Permittee has not complied with the applicable requirements of the Act, Rules and Regulations, or the approved reclamation plan, it shall advise the Permittee of such non-compliance not more than sixty (60) calendar days after the date of the inspection.
- (5) Where the Office finds that a Permittee has successfully complied with the requirements of the Act, Rules and Regulations, and the approved reclamation plan, the Office shall release all applicable performance and financial warranties. Release (pending an appeal) shall be in writing and mailed within thirty (30) calendar days to the Permittee after the date of such findings. However, an appeal to the release of the financial and performance warranties shall stay the release on the thirtieth (30th) day pending a Formal Board Hearing.

#### **4.17.3 Reserved**

#### **4.17.4 Specific Provisions – Designated Mining Operations**

- (1) Public Notice Requirements – Request for Release of Financial Warranty

- (a) Upon filing a written Notice of Completion and a Request to Release Financial Warranty for a Designated Mining Operation, the Operator shall publish a Public Notice according to the following guidelines.
  - (b) At the time of filing a written Notice of Completion or Request for Release of Financial Warranty, the Operator shall publish once in a newspaper of general circulation in the area of the mining operation for which a reduction or release of Performance and Financial Warranties is sought. The Notice shall specify the following:
    - (i) the name of the mining operation;
    - (ii) the location of the mining operation in relation to the nearest municipality, giving direction and miles;
    - (iii) a brief statement of what is being requested and that public comments concerning the appropriateness of the requested release should be sent within thirty (30) days of the date of publication to the Office to the address for the Division of Reclamation, Mining and Safety, listed on the cover of these Rules.
    - (iv) the Operator shall submit proof of publication as provided for in Rule 1.6.2(1)(a)(ii).
- (2) Partial and Final Release of Financial Warranty
- (a) The Operator shall request release of any remaining reclamation bond funds at or after such time as is prescribed by the Board or Office which shall be no more than five (5) years after submitting the initial Request for Release of Financial Warranty, and subsequent Office inspection, as per the following:
    - (i) upon completion of the performance requirements of the Permit and Reclamation Plan, the Operator may file a written Notice of Completion with the Office;
    - (ii) the Office shall inspect the affected land within sixty (60) days after receiving such notice, or as soon thereafter as weather permits to determine if the affected land has been reclaimed for a beneficial use and is in compliance with all applicable Performance Standards;
    - (iii) upon a finding by the Board or Office that the Operator has complied with all the Permit performance requirements, the Office shall deliver a written