



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

March 9, 2020

George Glasier
Pinon Ridge Mining, LLC
P.O. Box 825
Nucla, CO 81424

Re: Findings of Fact, Conclusions of Law, and Order, Pinon Ridge Mining, LLC
File No. M-1997-032

On March 2, 2020, the Mined Land Reclamation Board signed the enclosed Board Order for the above captioned operation. Because this document is the final order of the Board, it is legally binding on and affects the above-captioned operation, and we strongly advise that you read this document carefully.

Sincerely,



Camille Mejia
Board Administrator

Enclosure(s)

Certified Mail
7018 2290 0001 8923 1106

cc:
Dustin Czapla
Travis Marshall
Jeff Fugate
Scott Schultz
Charles Kooyman
Patrick Siglin
Jennifer Thurston
Jeffrey C. Parsons



BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

ORDER ON REMAND FOR THE REQUEST OF PIÑON RIDGE MINING,
LLC FOR A SECOND FIVE-YEAR PERIOD OF TEMPORARY CESSATION,
File No. M-1997-032

THIS MATTER came before the Mined Land Reclamation Board ("Board") on January 22, 2020 in Denver for a hearing regarding Piñon Ridge Mining, LLC's ("Operator") request for a second period of temporary cessation, file number M-1997-032 ("permit") on remand as ordered by the Court of Appeals in *Info. Network for Responsible Mining v. Colo. Mined Land Reclamation Board*, 451 P.3d 1245 (Colo. App. 2019). Dustin Czapla and First Assistant Attorney General Jeff Fugate appeared on behalf of the Division of Reclamation, Mining and Safety ("Division"). There was no appearance on behalf of Operator. Jeff Parsons, Esq. appeared on behalf of Objectors Information Network for Responsible Mining, Conservation Colorado, Earthworks, San Juan Citizens Alliance, and Sheep Mountain Alliance ("Objectors").

The Board, having considered the presentations of the Division¹ and Objectors, and being otherwise fully informed of the facts in the matter, enters the following:

FINDINGS OF FACT

1. Operator holds a 110d reclamation permit for an 8.49-acre uranium and vanadium mining operation located in Section 29, Township 46 North, Range 17 West, 10th Principal Meridian, Montrose County. The site is known as the Van 4 Shaft. The site is a designated mining operation.
2. The Van 4 Shaft last produced ore in 1989.
3. On May 30, 2017, the Division received a request for a second period of Temporary Cessation ("TC-2") for the site. Objectors filed a written objection to the request for TC-2.

¹ The Division was advisory staff to the Board, not a party, in this proceeding.

4. The Board held a hearing on Operator's request for TC-2 on July 26, 2017 and approved the request in an order which became final on August 15, 2017 (the "August 15, 2017 Order").

5. Objectors filed a complaint for judicial review in the District Court for the City and County of Denver.

6. The District Court affirmed the Board's August 15, 2017 Order approving TC-2.

7. The Objectors appealed the District Court's decision to the Colorado Court of Appeals.

8. In an opinion issued on July 25, 2019, the Court of Appeals reversed the District Court and remanded the case "for termination of the operation and compliance with the reclamation requirements as set forth in the" Mined Land Reclamation Act, Article 32 of Title 34, C.R.S. (the "Act"). A mandate issued remanding the case on September 23, 2019.

9. The District Court remanded the case to the Board on September 26, 2019.

CONCLUSIONS OF LAW

10. The Board has jurisdiction over this matter pursuant to the Mined Land Reclamation Act, Article 32 of Title 34, C.R.S. ("Act").

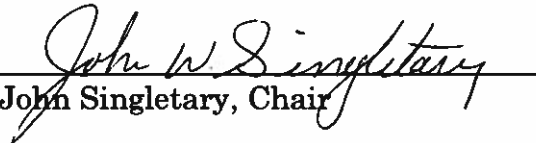
11. "Because temporary cessation at the site has continued for more than ten years, the operation must be terminated and the operator must fully comply with reclamation requirements under the [Act]". *Info. Network for Responsible Mining v. Colo. Mined Land Reclamation Board*, 451 P.3d at 1249.

ORDER

Based on the foregoing findings of fact and conclusions of law, the Board hereby VACATES the August 15, 2017 Order. The Board hereby TERMINATES the mining operation and ORDERS Piñon Ridge Mining, LLC to commence final reclamation of the site immediately, to be completed within five years as required by section 34-32-116(7)(q), C.R.S.

DONE AND ORDERED this 2nd day of March 2020.

**FOR THE COLORADO MINED LAND
RECLAMATION BOARD**


John Singletary, Chair

NOTICE OF JUDICIAL REVIEW RIGHTS

This order becomes effective and final upon mailing. Any party adversely affected or aggrieved by agency action may commence an action for judicial review by filing a complaint with the district court within thirty-five (35) days after the effective date of this order, pursuant to section 24-4-106, C.R.S. (2019) and the Colorado Rules of Civil Procedure. In the event that a complaint for judicial review is filed, designations of record made in accordance with section 24-4-106(6), C.R.S. should be served on the Board at: 1313 Sherman Street, Room 215, Denver, CO 80203, Attention: Camie Mojar.

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER upon all parties herein by depositing copies of same in the United States mail, first-class postage prepaid, at Denver, Colorado, this 9th day of March 2020 addressed as follows:

By certified mail to:
7018 2290 0001 8923 1106

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Camille Mejar, Board Administrator