

STATE OF
COLORADO

Czapla - DNR, Dustin <dustin.czapla@state.co.us>

May Day Mine Permit

1 message

Jack Nielsen <jnielsen@diamondhillfarms.com>
To: Dustin Czapla <dustin.czapla@state.co.us>
Cc: "Barbara L. Nielsen" <barbara@allophone.com>

Sun, Jan 28, 2024 at 10:58 AM

Dustin:

In order to more properly reflect the goals of the May Day Mine, we believe our permit should be changed to a 112 permit from its present 112d designation. We are also requesting to change the name of the permit to the May Day Mine to correctly identify our status without the Idaho mine property. Our third request is to remain in Temporary Cessation rather than requesting Intermittent Cessation. Our plan is to remove some of the rock within the May Day One stope while in Temporary Cessation based on definitions from Hard Rock Mining Rules.

The definition of Production in the Hard Rock Mining Rules states "Minimal excavation and/or activity may not constitute production and is evaluated with respect to the scale of the mining operation." For the next year, the goal of the May Day Mine is minimal activity confined to the movement of a portion of the rock pile located in the May Day One stope. This will not be excavation but only removal and storage of the material to a concrete pad within a roofed building with the objective of gaining reliable statistical sampling of the material for value. The work we are proposing in Temporary Cessation will not disturb or affect any land not already affected. The definition for Regular Operation applies to all mining operations affecting ten (10) acres or more and extracting seventy thousand (70,000) tons or more. The Mayday removal activity will be conducted only on the portal area, although road and outfall upkeep will continue. The tonnage that will be moved will be 1,000 tons which meets the description of minimal activity.

Hard Rock Mining Rule 7.2.6 speaks to the removal of the d from our permit: (1) If an Operator or Applicant demonstrates to the satisfaction of the Office or the Board, at the time of applying for a permit, or at a subsequent hearing, or after notification given pursuant to Rule 7.2.2 of this Rule, that designated chemicals will not be stored or used on-site for extractive metallurgical processing, toxic or acid-forming materials will not be exposed or disturbed in quantities sufficient to adversely affect human health, property or the environment; and that acid mine drainage, as defined in Rule 1, will not occur as a result of mining operations, the Board shall exempt such existing operations from the

requirements of this Rule 7, which Rule implements Section 34-32-116.5, C.R.S. 1984, as

amended. We will not be conducting any milling or filtration efforts and will not have any chemicals on site for our proposed activity. Our understanding is that suspended water testing will remain as it is in our current cessation.

We are appreciative of your explanations and feel that in combination with the rules from the CRS, we will make the right choices for the May Day operation. Please send the CRS rules to me and let me know if the sampling activities can be done while the May Day is in cessation with the permit changes described. We realize this will be our second period of cessation, but believe we are correct in understanding that we can request a change to intermittent status if we find we have the value to justify active mining for shipment of the material. Are we correct in this thought?

Please direct us to the forms we will need to file online. We are unable to open the link: https://dnrlaserfiche.state.co.us/Forms/DRMSeForms_LandingPage

Thank you,

Jack

Jack Nielsen

Diamond Hill Farms, LLC

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1/31/24, 10:23 AM

State.co.us Executive Branch Mail - May Day Mine Permit

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