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**From: Michael Layne, MTAA LTD**

**TO: RUSS MEANS**

**RE: APACHE MILL TAILINGS BOARD HEARING**

**DATE: August 23, 2012**

AUG 24 2012  
GRAND JUNCTION FIELD OFFICE  
DIVISION OF  
RECLAMATION MINING & SAFETY

**Dear Mr. Means:**

M-2012-028

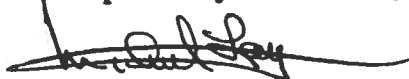
I enjoyed the visit we had at the Apache Mill Tailings site in Leadville, Colorado. I now understand why you would need good sound information to help you make a decision on what kind of permit we need. I feel it will take some time to get all the information we spoke about.

It would be better for MTAA LTD to delay the Board Hearing tentatively scheduled for September 12, 2012. In no way am I trying to rush you to a decision. If we decide we need the hearing I will give you thirty days written notice to set another date.

I will get the information you need from the EPA. I will also have a current laboratory test on the material.

Hopefully we can get the information you need, and you will then give us an idea of what kind of permit we will need, if so no hearing should be necessary.

Respectfully submitted,



**MICHAEL LAYNE**

**Michael Layne**

**Portfolio Manager/Business Manager**

**MTAA LTD**

**cc: Lance I. Layne, Board Chairman**

**Attorney John Lassalette**

**Jess E. Minium, Jr., Senior Vice President Natural Resources**