

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
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October 19, 2012

Paul Szilagyi
Nuvemco, LLC
650 Linden Ave.
Boulder, Colorado 80304-1011

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

Re: Nuvemco, LLC., October Ore Pile, File No. M-2008-050, Temporary Cessation Request

Dear Mr. Szilagyi:

On September 27, 2012 the Division of Reclamation, Mining, and Safety (Division) received your request for Temporary Cessation status for the October Ore Pile. The receipt of the Notice of Temporary Cessation will be acknowledged in the monthly activity report attached to the agenda at the November 14~15, 2012 meeting of the Mined Land Reclamation Board unless one or more of the following conditions occurs:

1. Reclamation or performance standard issues are indicated in the Notice of Temporary Cessation.
2. Such issues are indicated by a field inspection of the mine site.
3. Such issues are indicated by a review of the mining operation file.
4. Concerns are expressed about the Notice of Temporary Cessation by interested persons.

Staff inspected the site in September of 2012 and found no issues with reclamation, performance standards, field inspection or the file. Therefore the Division has sent out notice to Montrose County as required per Rule 1.13.6 (3)(a). If the Division receives comments from the County the Division will place the Notice of Temporary Cessation on the agenda for the December 12~13, 2012 meeting of the Mined Land Reclamation Board. During that meeting, the Board will consider whether or not to accept the Notice

Please be aware that Section 1.13.5(1)(a) of the Hard Rock/Metal Mining Rules and Regulations state that *"Initial period shall be the first five years of Temporary Cessation beginning with the 180 day period of production cessation."*

Rules 1.13.8 and 1.13.9 state that:

1.13.8 *A permit granted pursuant to Rules shall continue in effect as long as:*

a) the mining operation is resumed within five (5) years of the beginning of Temporary Cessation; or

(b) the Operator files a report requesting an extension of the period of Temporary Cessation with the Board stating the reasons for the continuation of those factors necessary to, and the plans for, resumption.

1.13.9 Ten Year Limitation for Temporary Cessation

In no case shall Temporary Cessation be continued for more than ten (10) years without terminating the mining operation and fully complying with the Reclamation and Environmental Protection Plan requirements of the Act and these Rules.

If you need additional information please contact me at the Division of Reclamation, Mining and Safety, Grand Junction Field Office, 101 S. 3rd St., Suite 301, Grand Junction, Colorado 81501, by telephone at 970.241.1117, or by e-mail at russ.means@state.co.us.

Sincerely,



G. Russell Means
Acting Senior Environmental Protection Specialist
West Slope Field Office Supervisor

Cc: Scott Gerwe, Grand Junction Regional Office, BLM