

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

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October 22, 2012

Glenn Williams
Cotter Corporation
P.O. Box 700
Nucla, CO 81424

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

RE: JD-6 Mine, Permit No. M-1977-310, Submittal of an Environmental Protection Plan (EPP), Amendment AM-01, Notice of Complex Application and Revised Decision Date.

Dear Mr. Williams,

On October 1, 2012 the Division of Reclamation, Mining, and Safety (Division) received Cotter Corporation's (Cotter) submittal of an Environmental Protection Plan (EPP) amendment, AM-01 for the JD-6 Mine, Permit No. M-1977-310. An administrative review of the submission notes the amendment application is complete for review and is considered filed as of October 11, 2012. Please note the review is for administrative completeness and that technical aspects of the amendment have not been addressed yet. Per Rule 1.4.8 and / or 1.4.9, the decision date for a 110d is thirty (30) days and a 112-d is ninety (90) days. However, the Division notes that the amendment is an EPP which will require additional Division professional staff involvement. By definition of Rule 1.1 (10), the EPP is considered a "Complex Application". The Division is therefore extending the decision date by an additional sixty (60) days as allowed per Rule 1.4.1(7). The decision date therefore will be January 11, 2013.

If Cotter has not done so it must begin the notice procedures within ten (10) days of the completeness letter that meet the requirements of Rule 1.6.2(1) (d) and (e). Requirements for a 110d are publication once with a ten calendar day comment period. The Division recommends that a copy of the notice be reviewed by staff prior to publication to ensure it meets the requirements of the law. Any errors in publication or its form may cause the notification process to begin anew. At a minimum, please provide the dates of publication, once established, to the Division so that the public comment period can be established.

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, or by telephone no. 970.242.5025.

Sincerely,



Stephanie Reigh

Environmental Protection Specialist

ec: Tony Waldron, Mineral Program Supervisor
Russ Means, Acting Senior Environmental Protection Specialist, West Team Supervisor
cc: Ed Cotter
U.S. Department of Energy
2597 Legacy Way
Grand Junction, CO 81503