

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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John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

February 27, 2013

To: All Parties

From: Russ Means, Senior Environmental Protection Specialist

RE: **Notice of Pre- Hearing Conference and Re schedule of Hearing for acceptance of
Notice for Temporary Cessation Status over objections.**

Energy Fuels Resources, Whirlwind Mine, Permit M-2007-044

This letter is to inform identified parties that the Division of Reclamation, Mining and Safety (Division) received written comments of objection pertaining to the intent of Energy Fuels Resources to put the above referenced mining operation into a state of temporary cessation (TC) on February 12, 2013.

The Notice of TC was posted on the February 13, 2013 agenda of Mined Land Reclamation Board (MLRB) pursuant Rule 1.13.6 (1). Based on the comments received the Division requested the MLRB schedule a hearing pursuant to Rule 1.13.6(2) (d). The MLRB granted the Division's request and directed staff to schedule the hearings for the March 2013 MLRB meeting. The Board directed that the hearing be limited in scope to those issues submitted in writing on February 12, 2013.

All parties met on February 20, 2013 and agreed to request that these matters be continued from the March 13~14, 2013 MLRB meeting to the April 17~18, 2013 MLRB meeting so that procedural issues could be addressed. All parties also agreed to a pre-hearing conference. The Pre-hearing Conference will be held on March 26th at 1313 Sherman Street, Denver, Colorado in Room 221, at 12:30 PM. Ms. Sandra Brown will preside as the Pre-hearing Officer.

The formal board hearing has been re-scheduled and will be held during April 17-18, 2013 Mined Land Reclamation Board will be held in Room 318, 1313 Sherman Street, Denver, Colorado, beginning at 9:00 a.m. or as soon thereafter as the matters can be considered.

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
Senior Environmental Protection Specialist
West Slope Field Offices Grand Junction / Durango

Cc: Tony Waldron, Minerals Program Supervisor
Jeff Fugate / Julie Murphy, Department of Natural Resources, AGO
John Roberts, AGO Consul to MLRB
Glen Williams, Cotter Corporation
Jennifer Thurston, INFORM