

Arizona State Mine Inspector

FILE COPY



JOE HART

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July 13, 2009

Mr. Rod Pace, President and CEO
Rosemont Copper Company
4500 Cherry Creek South Drive, Suite #1040
Denver, Colorado 80246

Re: Rosemont Copper Reclamation Plan approval of a proposed Hardrock minesite

Dear Mr. Pace:

This letter is to advise you the Rosemont Copper Project Mined Land Reclamation Plan submittal for the proposed minesite adjoining the Coronado National Forest, in Pima County, has been found to meet the applicable requirements of the Mined Land Reclamation Act and Rules and the plan approval criteria established under A.R.S. Title 27, Chapter 5, § 27-973 .

The plan approval date of **July 10, 2009** establishes the due date for submittal of a financial assurance mechanism and the "plan anniversary date."

A.R.S. § 27-992 requires submittal of a financial assurance mechanism within sixty (60) days after plan approval. The financial assurance mechanism is to be submitted to and received by this office no later than **September 10, 2009**.

The amount of the financial assurance must provide an amount in current dollars as required by pursuant to A.R.S. § 27-992 (C). The amount of financial assurance to be provided may be reduced pursuant to A.R.S. § 27-992 (B).

Duplication of Financial Assurance

There are a number of Mined Land Reclamation Statutes governing duplication of efforts between regulatory agencies. Specifically, A.R.S. §§ 27-902, 27-903, 27-932, and 27-994 provide for inter-agency agreements, coordination of activities, as well as memoranda of understanding to avoid "redundant, inconsistent, or contradictory reclamation, inspection, administration, enforcement and financial assurance requirements."

If the Rosemont Copper Project Operation has private land (subject to the requirement of the Mined Land Reclamation Act) currently bonded under another regulatory agency, please contact this agency *prior to* submitting a financial assurance mechanism to this agency.

Annual Status Report

The plan approval/anniversary date of July 10, 2009 establishes the date an annual status report pursuant to R11-2-504 is to be submitted. This rule provides an annual status report must be submitted within sixty (60) days after the plan anniversary date and establishes the content required for this report. The Rosemont Copper Project Operation's first annual status report must be submitted within 60 days of **July 10, 2010**, and no later than **September 10, 2010**.

Any Proposed changes to an Approved Plan

Criteria and procedure for modifications and substantial changes to an approved plan are established under A.R.S. § 27-927. Please be advised no substantial change to an approved reclamation plan may be implemented without the approval of the Arizona State Mine Inspector. Proposed changes must be submitted to the Mine Inspector for review and determination. Substantial changes and plan amendments may require a revision in the financial assurance mechanism and an additional fee.

If you require additional information, contact Garrett Fleming in the Reclamation Department at (602) 542-5971.

Sincerely,



Joe Hart
Arizona State Mine Inspector

cc: J. Sturgis
K. Arnold



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