

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
RECOMMENDATION
APPLICATION FOR TEMPORARY CESSATION OF MINE PERMIT
JAMES DEAN**

Notice is hereby given that the South Dakota Department of Environment and Natural Resources has received an application for temporary cessation of mining operations under Small Scale Mine Permit 454 from James Dean, 23863 Palmer Gulch Road, Hill City, South Dakota 57745. The mining operation is located in portions of Sections 15 and 22; T1N-R4E, Pennington County. The general location of the operation is approximately 7 miles northwest of Hill City, South Dakota. The primary mineral being mined is slate.

James Dean has temporarily ceased mining activities under Mine Permit 454 due to another person filing a lode claim on top of his placer claim. The lode claim holder did not grant him permission to mine the site. Mr. Dean has since obtained the lode claim and will resume mining once a US Forest Service operating plan is approved. He will perform site maintenance during the period of temporary cessation.

In accordance with SDCL 45-6B-3(8)(c), if the temporary cessation is approved, James Dean must resume production within 5 years unless the Board of Minerals and Environment grants a 5-year extension. If production does not resume within the required time period, James Dean must reclaim the area pursuant to the reclamation plan for Permit 454.

The application is available for viewing at the Minerals and Mining Program, 523 East Capitol Avenue, Pierre, SD, or can be viewed on the Minerals and Mining web page at <http://denr.sd.gov/des/mm/temporarycessation.aspx>. We welcome any comments you may have. Comments may be submitted in writing or online at <http://denr.sd.gov/public/default.aspx>. Written objections to, statements in support of, or petitions to intervene and become party to the proceedings pursuant to ARSD 74:29:01:09 must be filed with the Department of Environment and Natural Resources no later than October 31, 2013. Information about the contents of a petition can be found in ARSD 74:09:01:01 at <http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=74:09:01:01>. Petitions should be mailed to the Minerals and Mining Program, 523 East Capitol Avenue, Pierre, SD 57501-3182.

The department recommends that the Board of Minerals and Environment approve the application for temporary cessation. In accordance with SDCL 45-6B, SDCL 1-26, and ARSD 74:29:09, the temporary cessation will be granted pursuant to the department's recommendation unless the applicant or any interested person files a petition to initiate a contested case hearing.

Persons desiring further information may contact Eric Holm, Minerals and Mining Program, at (605) 773-4201.

Steven M. Pirner
Secretary
Department of Environment and Natural Resources

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