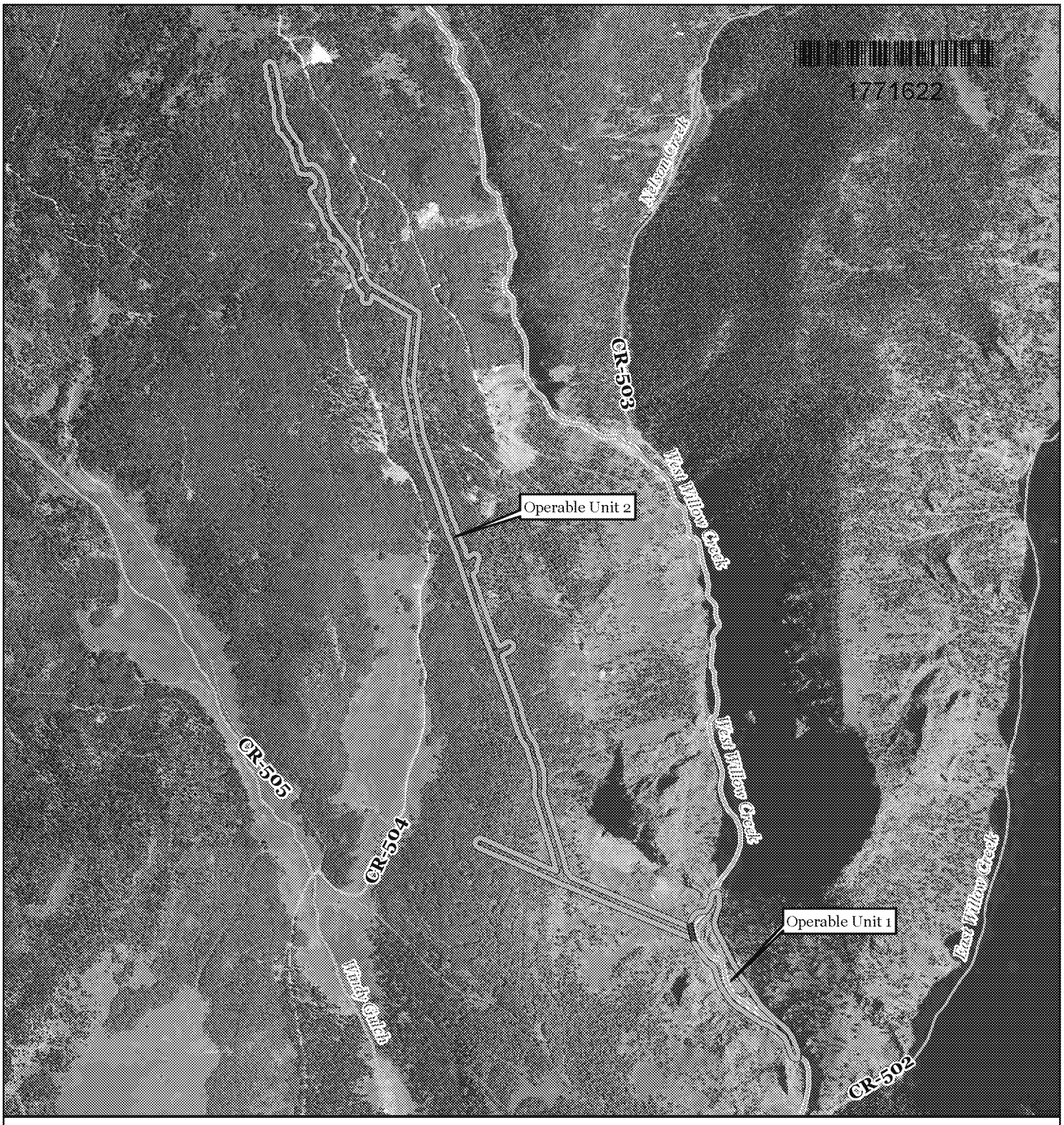


Nelson Tunnel/Commodore Waste Rock NPL Site
Operable Units
Mineral County, Colorado

NPL & Operable Unit Boundaries
OU Boundary
River

*ICs do not exist for this site

Map Date: April 16, 2012

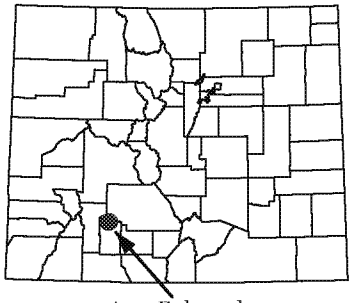
Map Projection: UTM, Meters, 13 North, NAD83
Data Sources: *Boundaries* - U.S. EPA Region 8 (2012); *Imagery* - USDA NAIP 1-meter aerial photo (2009).

N

0 1,000 2,000 Feet

0 250 500 Meters

Colorado



Area Enlarged

*Boundaries are based on the nature and extent of contamination and are subject to change.

Appendix A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:16-cv-00847

UNITED STATES OF AMERICA,

and

THE STATE OF COLORADO,

Plaintiffs,

v.

COCA MINES, INC.

Defendant

NOTICE OF LODGING OF CONSENT DECREE

Plaintiffs, the United States of America and the State of Colorado, have filed a Complaint pursuant to Sections 107 (a) and 113(g)(2) of the Comprehensive, Environmental, Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §§ 9607(a) and 9613(g)(2), against Defendant CoCa Mines, Inc. concerning the Nelson Tunnel/Commodore Waste Rock Pile Superfund Site (the "Site") located near the statutory town of Creede, Colorado. By way of this Notice, the United States notifies the Court that the Plaintiffs have lodged simultaneous with the Complaint a proposed Consent Decree in this matter (the "Decree"). The Decree, which is attached as Exhibit 1 to this Notice, would resolve the Plaintiffs' claims against the Defendants as described in the Complaint.

The Court should not sign the Decree at this time. Instead, the Decree should remain lodged with the Court while the United States provides an opportunity for public comment in

accordance with Section 122(d)(2) of CERCLA, 42 U.S.C. § 9622(d)(2), and the policy of the Department of Justice, 28 C.F.R. Part 50.7.

The Department of Justice will publish in the Federal Register a notice that the Decree has been lodged with the Court. The Notice will solicit public comment for a period of 30 days. During the comment period, no action is required by the Court.

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

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U.S. Department of Justice

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