

EXHIBIT 3

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NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Department of Conservation & Natural Resources
Steve Sisolak, Governor
Bradley Crowell, Director
Greg Lovato, Administrator

September 16th, 2019

Mr. Robert Ford
ABC Recycling Industries, LLC
2799 E. Tropicana Blvd. Suite H
Las Vegas, Nevada 89121

**Sent Via FedEx and E-mail:
#7762 4091 5798**

RE: Re-issuance of the Notice of Noncompliance and Order – ABC Recycling Industries, LLC – Lathrop Mill: Reclamation Permit # 0171

Dear Mr. Ford:

The enclosed Notice of Noncompliance and Order issued by the Administrator of the Division of Environmental Protection (Division), pursuant to Nevada Revised Statutes (NRS) 519A.140, 519A.150 and 519A.270, requires compliance by ABC Recycling Industries, LLC with the terms and conditions of the Order by the dates specified.

The Notice of Noncompliance and Order was developed as a result of ABC Recycling Industries, LLC failure to submit the required annual reclamation report and to pay the applicable statutory and regulatory fees (**\$4166.00**) that were due on or before April 15, 2019, per NRS 519A.260 and Nevada Administrative Code 519A.235.

Please be advised that the annual reclamation report and fees must be submitted by October 11th, 2019, or the matter will be referred to the State of Nevada Office of the Controller for further collection efforts and the Division will initiate action to revoke the Lathrop Mill reclamation permit and may subject the posted cash surety amount of \$205,791.00 into forfeiture.

The attached Order is final and not subject to review unless, within ten (10) days from the date of this notice, the State Environmental Commission (SEC) located at 901 S. Stewart Street, Carson City, Nevada 89701, receives a request for a hearing by written petition (SEC Form 3).

If you have any questions concerning this matter, please contact me at (775) 687-9408.

Sincerely,

Todd Process
Reclamation Branch Supervisor
Bureau of Mining Regulation and Reclamation

Ec: Greg Lovato, Deputy Administrator, NDEP
Joe Sawyer, Chief, BMRR
Rick Perdomo, DAG Office
Todd Suessmith, BMRR Reclamation Permit Writer

Notice of Noncompliance

In the matter of ABC Recycling Industries, LLC this Notice of Noncompliance, dated August 13th, 2019 is made on the basis of the following facts, to wit:

1. The State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection (Division), under the authority of Nevada Revised Statutes (NRS) 519A.140 and 519A.150, has the duty and power to administer and enforce the provisions of NRS 519A.010 through 519A.280, inclusive, the regulations promulgated by the State Environmental Commission pursuant to NRS 519A.160; a plan for reclamation and any condition placed on a plan for reclamation; to hold hearings and issue orders and to take any other action reasonable and necessary to enable it to administer or enforce the provisions of NRS 519A.010 through 519A.280, inclusive.
2. Per Nevada Administrative Code (NAC) 519A.020 "Active" defined. Active means that operations or actions are being conducted at an exploration project or mining operation, which results in land being affected.
3. Per NRS 519A.040 "Affected" defined. Affected means that the surface of the land is or will be disturbed by mining, or that the land will be used: 1) as an evaporation or settling pond, leach dump, placer area or tailings pond or dump; or 2) in conjunction with any structure, facility, equipment, machine, tool, material or property incident to mining.
4. Per NRS 519A.070 "Exploration Project" defined. Exploration project means all activities conducted in this state by a person on or beneath the surface of land for the purpose of, or, in connection with, determining the presence, location, extent, depth or grade of any mineral, which affects the surface. The term does not include a small exploration project.
5. Per NRS 519A.080 "Mining Operation" defined. Mining operation means all activities conducted in this state by a person on or beneath the surface of land for the purpose of, or in connection with, the development or extraction of any mineral. The term does not include an aggregate or sand pit or a small mining operation.
6. Per NRS 519A.090 "Operator" defined. Operator means any person who owns, controls, or manages an exploration or mining operation.
7. Per NRS 519A.260 Annual Submission of reports and payment of fees by operator; disposition of money received. Each operator shall, on or before April 15 of each year, submit to the Administrator a report relating to the status and production of all mining operations and exploration projects in which he has engaged and identifying each acre of land affected and land reclaimed by that mining operation or exploration project through the preceding calendar year, and shall pay to the Division a fee of: (a) one dollar and fifty cents for each acre of public land administered by a federal agency; and (b) five dollars and fifty cents for each acre of privately owned land which has been disturbed by mining operations or exploration projects engaged in by the operator and not reclaimed.

8. Per NAC 519A.235 (1) Annual Submission of fees for services by Division. On or before April 15, 1991, and on or before April 15 of each year thereafter, an operator of an exploration project or mining operation shall submit to the Division for services rendered by the Division the applicable fees required by this section.
9. The location of the Lathrop Mill is:
Portion of Section 36, Township 17 South, Range 49 East and Portion of Section 1, Township 18 South, Range 49 East; Mount Diablo Baseline and Meridian, Nye County, Nevada

The operator for the Lathrop Mill is ABC Recycling Industries, LLC. (Reclamation Permit #0171).

10. ABC Recycling Industries, LLC has failed to submit the required reclamation report and pay the applicable statutory and regulatory fees for calendar year 2018 that were due on or before April 15, 2019 for the Lathrop Mill site.

On the basis of the facts listed above, the Administrator of the Division of Environmental Protection finds that ABC Recycling Industries, LLC is in noncompliance with NRS 519A.260 and NAC 519A.235 for failure to submit the required annual reclamation report and pay the applicable statutory and regulatory fees by the April 15, 2019 deadline.

9-16-2019
Date



Todd Process
Reclamation Branch Supervisor
Bureau of Mining Regulation and Reclamation

Order

The following Order is issued this September 16th, 2019 pursuant to the powers and duties vested in the Administrator of the Division of Environmental Protection (Division) pursuant to Nevada Revised Statutes (NRS) 519A.140 and 519A.150.

On the basis of the Notice of Noncompliance attached hereto and made a part of this Order, the Division has determined that ABC Recycling Industries, LLC is in noncompliance with NRS 519A.260 and Nevada Administrative Code 519A.235.

IT IS HEREBY ORDERED:

On or before **October 11th, 2019**, ABC Recycling Industries, LLC, must submit the required annual reclamation report and pay the applicable statutory and regulatory fees. Failure to comply with this deadline will result in the Division initiating action to revoke the Lathrop Mill Permit #0171 and to pursue the forfeiture of the project's reclamation bond. Failure to submit the overdue fees by the above deadline will result in referral of the matter to the State of Nevada, Office of the Controller for further collection efforts.

NAC 519A.400 requires that the Division set a date and time for a hearing and inform the operator of such hearing to determine if reclamation permit #0171 is subject to being revoked and the posted surety forfeited upon completion of the hearing if the operator fails to attend the hearing.

Contact Todd Process, Reclamation Supervisor, @ 775 687-9408 to set up a hearing date for your attendance in Carson City to make a final determination of your project status.

The Division may withdraw this notice of noncompliance, if the operator demonstrates that the alleged violation has been remedied or has agreed to a corrective plan of action approved by the Division.

9/16/19
Date



Joe Sawyer, P.E., Chief
Bureau of Mining Regulation and Reclamation



ABC Recycling Industries LLC / Robert Ford
Lathrop Mill, RP0171: Re-issuance of Noncompliance & Order for failure to pay
2018 reclamation annual fees. 09/16/2019 letter

October 7, 2019

Dear Customer:

The following is the proof-of-delivery for tracking number **776240915798**.

Delivery Information:

Status:	Delivered	Delivered to:	Receptionist/Front Desk
Signed for by:	L.INDSEY	Delivery location:	LAS VEGAS, NV
Service type:	FedEx Priority Overnight	Delivery date:	Sep 17, 2019 10:27
Special Handling:	Deliver Weekday		

Signature image is available. In order to view image and detailed information, the shipper or payor account number of the shipment must be provided.

Shipping Information:

Tracking number:	776240915798	Ship date:	Sep 16, 2019
		Weight:	0.5 lbs/0.2 kg

Recipient:
LAS VEGAS, NV US

Shipper:
Carson city, NV US

Reference
Purchase order number:
Department number

ABC Noncompliance
0674
BMRR

Thank you for choosing FedEx.