## EXHIBIT 1

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## BEFORE THE STATE OF NEVADA STATE ENVIRONMENTAL COMMISSION

In the Matter of:

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4 ABC RECYCLING LLC'S APPEAL OF NDEP'S FEBRUARY 6, 2020 DECISION
5 TO REVOKE THE LATHROP MILL RECLAMATION PERMIT #0171; AND
6 FORFEIT OF THE RECLAMATION SURETY CASH DEPOSIT
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## DECLARATION OF TODD PROCESS

I, TODD PROCESS, declare as follows:

9 1. I am a Reclamation Branch Supervisor with the Bureau of Mining 10 Regulation and Reclamation (BMRR) of the Nevada Division of Environmental Protection 11 (NDEP). BMRR serves the vital function of regulating the environmental impacts of the 12 mining industry. As the Reclamation Branch Supervisor, I have knowledge of the matters 13 asserted herein and am competent to testify thereto.

On June 15, 2012, NDEP transferred Reclamation Permit #0171 to Cadence
 Industries LLC. The Permit was subsequently transferred to ABC Recycling LLC ("ABC")
 on June 9, 2015. As of May 15, 2020, the last time that BMRR approved a revised
 reclamation plan on this permit was in 2009, when Galtar LLC was the permittee of
 record.

3. As Reclamation Branch Supervisor, I have access to a database that shows all permit modification requests that have been received or processed by BMRR since Galtar LLC's revised reclamation plan was approved in 2009.

4. A review of this database shows that ABC has never submitted a revised
reclamation plan to NDEP for review and approval. NDEP has requested a revised
reclamation plan from ABC in the past, but ABC never submitted one. NDEP
conversations with ABC indicate that the reason ABC has never submitted a request for
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1	a revised reclamation plan is due to the fee required by NAC 519A.227 for a major
2	modification to a permit (approximately \$4,166).
3	I declare under penalty of perjury that the foregoing is true and correct to the best
4	of my knowledge, information and belief.
5	Executed this <u>13</u> day of May, 2020.
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7	TODD PROCESS
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