

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

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October 21, 2013

Delta County Independent

401 Meeker

P.O. Box 809

Delta, CO 81416

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Pineda
Director

Re: West Elk Mine (Permit No. C-1980-007)
Technical Revision Application No. 131 (TR-131)

To Whom It May Concern:

Please publish the attached legal notice in the *Delta County Independent*, **one time**, as soon as possible. For reimbursement, please send the invoice and proof of publication to Ms. Mary Rodriguez of our office at the above address. For questions regarding the publication, please contact me.

Please respond to Jim.stark@state.co.us to verify receipt of this publication request.

Thank you for your cooperation.

James R. Stark

Environmental Protection Specialist

Jim.stark@state.co.us

Enclosure

C-TR-11

NOTICE OF PROPOSED DECISION

The Colorado Division of Reclamation, Mining and Safety proposes to Approve Technical Revision Application No. 131 (TR-131) for the West Elk Mine (Permit No. C-1980-007), submitted by Mountain Coal Company, LLC. The Mountain Coal Company, LLC has submitted a Technical Revision to the West Elk Mine's permit to update their reclamation seed mixes. The revision proposes to change the seed mix to aid in the establishment of vegetative cover on steep slopes, which are routinely encountered within the West Elk Mine's permit area. This revision does not propose to change the mines permitted, affected or disturbed boundaries nor does it propose to create any new surface disturbance. The West Elk Mine's reclamation liability will not change as a result of the changes proposed in this revision.

The West Elk Mine is a/an Underground coal mine located in Delta, Gunnison County/Counties, approximately 9 miles E of Paonia, Colorado. Coal interest is Federal and private, and the surface affected is Federal and private land. The permit area encompasses approximately 17,154.90 acres.

This proposed decision is based on a finding that the proposed operation will comply with all requirements of the Colorado Surface Coal Mining Reclamation Act, Section 34-33-101, *et seq.*, C.R.S., and the regulations promulgated thereunder.

Copies of the proposed decision, including stipulations, are on file for public inspection at the Colorado Division of Reclamation, Mining and Safety, Room 215, Centennial Building, 1313 Sherman Street, Denver, Colorado 80203. Persons with an interest that may be adversely affected by the proposed decision may request a formal hearing before the Mined Land Reclamation Board on the proposed decision. Such request must be made within ten (10) days of the initial publication of this notice, must be in writing, and must state with reasonable specificity the reasons for the request and the objections to the proposed decision.