

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



February 28, 2014

Louis Head

New Elk Coal Company, LLC

12250 Highway 12

Weston, CO 81091

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

**Re: New Elk Mine (Permit No. C-1981-012)  
Technical Revision No. 69 (TR-69)  
Re-configuration of Ditch D-55**

Dear Mr. Head:

We have received your technical revision application to revise your permit to conduct coal mining in Colorado. Our initial review indicates that all preliminary items required by the Colorado Surface Coal Mining Reclamation Act, Section 34-33-101 *et seq.*, C.R.S., have been submitted. Thus, your application has been considered complete for the purposes of filing as of February 28, 2014. All review and comment periods as provided in the Act and the Regulations initiate from this date of filing.

Unless notification to the contrary accompanies this letter, the proposed newspaper advertisement submitted with the application has been found to be satisfactory. You should publish this advertisement as specified in Rule 2.08.4(6) of the Regulations. Proof of the publication of the advertisement must be filed with the Division as soon as available after the publication date.

Coincident with the publication, a copy of the revision application, less confidential items, must be filed for public inspection with the appropriate public office as specified by you in the notice. Any subsequent changes or additions to the application must also be made in this copy, at the same time it is submitted to the Division.

The Division is currently reviewing your revision application to determine whether the items you have submitted are adequate in terms of meeting the requirements of the Act and Regulations. In accordance with Section 34-33-116(5) of the Act, a proposed decision approving or denying this application will be issued no later than April 29, 2014.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Leigh D. Simmons".

Leigh D. Simmons

Environmental Protection Specialist

Leigh.Simmons@state.co.us

cc: Ron Thompson, New Elk Coal Company, LLC

C-TR-02