



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

April 30, 2014

Louis Head  
New Elk Coal Company, LLC  
12250 Highway 12  
Weston, CO 81091

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

Dear Mr. Head:

Enclosed you will find the Division of Reclamation, Mining and Safety's Proposed Decision for Technical Revision No. 69 at the New Elk Mine. Notice of the proposed decision will be published in the *The Chronicle - News* as soon as possible. The first publication will initiate the ten (10) day public comment period for the Division's decision.

Please refer to the Performance Bond heading on the enclosed proposed decision form. If the amount of Bond Held equals or exceeds the Revised Liability, you need not submit additional bond. However, if the Revised Liability exceeds the Bond Held, please submit additional bond or rider to your existing bond that equals or exceeds the Revised Liability. This Technical Revision must not be implemented until this proposed decision becomes final and until any required increase in bond is submitted to and approved by the Division.

If there are stipulations attached, please sign and return the proposed decision form to the Division.

If you have any questions, please contact me.



Sincerely,

A handwritten signature in blue ink, appearing to read "L. Simmons".

Leigh D. Simmons  
Environmental Protection Specialist  
Leigh.Simmons@state.co.us

Enclosure

cc: Ron Thompson, New Elk Coal Company, LLC

C-TR-08



## COAL MINING PERMIT - TECHNICAL REVISION DECISION

New Elk Mine, New Elk Coal Company, LLC

Permit No. C-1981-012

The Division of Reclamation, Mining and Safety has proposed the decision stated below. Provided there are no objections, the decision will become effective upon the termination of the ten (10) day public comment period, in accordance with Rule 2.08.4(6)(b)(iii).

Technical Revision No. 69

Decision: Approve

Submittal Date: February 6, 2014

Decision Date: April 30, 2014

Description of Revision: Re-configuration of Ditch D-55

DIVISION OF RECLAMATION, MINING AND SAFETY PERMITTEE

*Andrew L. Brown*

Authorized Representative - Division

Authorized Representative - Permittee (if applicable)

Date: April 30, 2014

Date:

CHANGE IN ACREAGE	REVISED TOTAL ACREAGE	PERFORMANCE BOND
Disturbed: 0.00	Disturbed: 222.60	Prior Liability: \$4,183,216.08
Affected: 0.00	Affected: 2,899.21	Change in Liability: \$0.00
Permit: 0.00	Permit: 4,198.90	Revised Liability: \$4,183,216.08
State: 0.00	State: 3,288.40	Bond Held: \$4,133,137.02
Federal: 0.00	Federal: 0.00	
Private: 0.00	Private: 910.50	
County: 0.00	County: 0.00	

### REVISED APPLICATION PAGES

2.05-11a; Exhibit 19, Refuse Disposal Area Fresh Water Diversion Ditch D-55 (2 pages); Exhibit 20, Certification - Refuse Disposal Area Fresh Water Diversion Ditch D-55 (2 sheets)

### DELETED APPLICATION PAGES

N/A

### REVISED MAPS

N/A

### DELETED MAPS

N/A

