



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

August 1, 2014

Delta County Independent
401 Meeker
P.O. Box 809
Delta, CO 81416
Dwebster@deltacountyindependent.com

**Re: West Elk Mine (Permit No. C-1980-007)
Technical Revision Application No. 135 (TR-135)**

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 or correspondence 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. 135 (TR-135) 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. The revision proposes to change the location of four MDW drill pads and light-use roads. The original pad and road locations were approved with Permit Revision 14. The proposed pad and road locations were laid out in the field with the assistance and approval of US Forest Service personnel. There will be no changes in the mine's permitted or affected acreages. With the proposed changes there will be a decrease in the mine's disturbed acreage of 0.8 acres. There will be an increase in the mine's reclamation liability as a result of the proposed changes. This liability increase was determined to be \$43,357.00.

The West Elk Mine is a/an underground coal mine located in Delta, Gunnison County, 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.