



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

September 8, 2014

Tom Bird
GCC Energy, LLC
6473 County Road 120
Hesperus, CO 81326-9633

**Re: King Coal Mine (Permit No. C-1981-035)
Technical Revision No. 23 (TR-23)
Increase Rate of Production**

Dear Mr. Bird:

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 September 5, 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 has interpreted 30 CFR 746.18, and requested concurrence from the Office of Surface Mining, to determine that this revision application does constitute a Mining Plan Action. A copy of the revision application materials must be sent immediately to:

Alan Boehms
Office of Surface Mining
Western Regional Coordinating Center
1999 Broadway, Suite 3320
Denver, CO 80202



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 November 4, 2014.

If you have any questions, please contact me.

Sincerely,



Marcia L. Talvitie, P.E.
Environmental Protection Specialist
Marcia.talvitie@state.co.us