



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 9, 2015

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

**Re: Elk Creek Mine (Permit No. C-1981-022)
Technical Revision Application No. 76 (TR-76)**

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 Alysha H. Hernandez of our office at the above address. For questions or correspondence regarding the publication, please contact me.

Please respond to *Leigh.Simmons@state.co.us* to verify receipt of this publication request.

Thank you for your cooperation.

Leigh D. Simmons
Environmental Protection Specialist
Leigh.Simmons@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. 76 (TR-76) for the Elk Creek Mine (Permit No. C-1981-022), submitted by Oxbow Mining, LLC. Oxbow Mining, LLC has submitted a Technical Revision for the Elk Creek Mine. The revision proposes to change the mine's post-mining topography and post-mining land use. These proposed changes are a result of the viability and use of the mine's methane for electricity generation. There are no proposed changes to the mine's permitted, affected or disturbed acreages. The Division will determine if there are any changes in the mine's reclamation liability during technical adequacy.

The Elk Creek Mine is a/an underground coal mine located in Delta, Gunnison County, approximately 0 miles N of Somerset, Colorado. Coal interest is federal and private, and the surface affected is federal and private land. The permit area encompasses approximately 15,676.51 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.