



United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
Western Region Office
1999 Broadway, Suite 3320
Denver, CO 80202-3050



FEB 27 2018

Jim Stark, Director
Office of Mined Land Reclamation
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203-2273

RE: Approval of SL-6 Partial Phase I and III Bond Release, Yoast Mine, Permit No. C-1994-082, DRMS Proposed Decision and Findings of Compliance, February 9, 2018

Dear Mr. Stark,

This letter acknowledges the Office of Surface Mining Reclamation and Enforcement (OSMRE) Denver Field Division's (DFD) receipt and review of the above Phase I and III Bond Release Proposed Decision document prepared by the Division of Reclamation Mining and Safety (DRMS) dated February 9, 2018. DFD agrees with the findings and decision document and hereby provides OSMRE concurrence for the above bond release action in accordance with 30 CFR 740.15 (d) (3), and 30 CFR 906.30, Article IX, Section 24, of the State-Federal Cooperative Agreement.

DRMS's Proposed Decision documents the applicant's compliance with the approved Colorado regulatory program at Rule 3.03.2. This Phase I bond release applies to 76.5 acres and III bond release applies to 275.4 acres. Land surface and mineral estates are a combination of federal and private ownership. All areas have had topsoil replaced and were revegetated between 1997 and 2007.

OSMRE attended the bond release inspection on July 19, 2017. The BLM also attended the inspection and provided their concurrence with this bond release action on February 22, 2018 (see attachment). OSMRE interprets the BLM's concurrence to mean that Seneca Property, LLC is in compliance with all applicable BLM coal lease stipulations. Based on available documentation, OSMRE agrees with DRMS's determination that Seneca Property, LLC has met or exceeded the requirements for Phase I bond release 76.5 acres and III bond release on the 275.4 acres of land as described in its Proposed Decision and Findings of Compliance document.

The Division currently holds a performance bond in the amount of \$2,221,677.26 for the Yoast Mine. The Division now proposes to release \$274,861.46 in Phase I liability and \$247,574.05 in Phase III liability. Due to the minimum amount of bond required to be retained, DRMS proposes to release a total of \$522,435.07. DRMS has determined that the remaining \$1,379,988.07 in bond liability is sufficient to assure completion of the reclamation plan if the work had to be performed by the Division or through independent contractors in the event of forfeiture. OSMRE concurs with the proposed bond liability release amount.

Thank you and your staff for coordinating this Federal mine bond release action through the DFD. Please direct any questions concerning this action to Christine Belka, Senior Regulatory Program Specialist, at cbelka@osmre.gov or (303) 293-5020.

Sincerely,



Howard Strand, Manager
Denver Field Branch

Attachment (BLM concurrence letter)

Cc: Jerry Nettleton, Seneca Property, LLC