

NEW ELK COAL COMPANY



July 16, 2019

Rob Zuber
Division of Reclamation, Mining and Safety
1313 Sherman St., Rm. 215
Denver, Colorado 80203

Re: RN-7 Second Adequacy Response
Permit C-1981-012

Dear Mr. Zuber:

This letter is in response to the letter from DRMS sent on May 20, 2018. The following issues were addressed with the revised pages or maps enclosed:

1. NECC staff is still preparing paperwork to submit the minor revision to the Division.
2.
 - a. Map 1 and the list of owners on pages 5 and 5a of section 2.03 have been updated and they are now in agreement.
 - b. Page 5, 5a, and 6 of section 2.03 have been updated so there is no redundancy.
 - c. Page 5a of section 2.03 now references Exhibit 40 for the Jansen Loadout.

12250 State Hwy 12
Weston, Colorado 81091

Phone (719) 631-6146
Fax (719) 868-0044
EMAIL nmason@newelcoal.com

4. a. Page 1 of section 2.05 now states the permit boundary is shown on Map 1 and Map 2. Page 1 also mentions the former Golden Eagle site, Jansen Loadout, and monitoring well sites are part of the permit boundary. Map 3 has been updated to show the Golden Eagle Permit Boundary. Map 3 is attached.

b. Section 2.05 pages 1 through 4 (attached) have been updated to remove outdated text; this includes referencing the Allen Seam and dewatering completed by 2009.

c. Figure 3 has been updated and is attached.

d. Discussion of the Apache and Allen Seams has been removed from section 2.05 pages 1 through 4 as it is no longer planned.

e. NECC plans to send all maps to a professional engineer for signature, once DRMS and NECC agree the maps are up to date.

5. a. The title of table has been changed from Soil to Topsoil.

b. There is no waste to be covered in the West Portal Area, all of the waste in the West Portal Area has been covered or moved. The text in the PAP on page 37 of Section 2.05 has been corrected.

c. Topsoil Stockpile #1 is now shown on Map 13.

6. a. The typo in table has been corrected.

b. NECC staff took new measurements and got an average pile height of 25.39 feet for the Topsoil Pile.


c. The calculation with the new pile height shows that Topsoil Stockpile #1 is at 23,981 BCY.

7. a. The suggested text on pages 20 and 20a of Section 2.05 has been removed.

9. a. Map 13 has been corrected.

b. NECC plans to send all maps to a professional engineer for signature, once DRMS and NECC agree the maps are up to date.

Sincerely,

A handwritten signature in black ink that reads "Nicholas Mason". The script is fluid and cursive, with the first name and last name clearly distinguishable.

Nicholas Mason