



STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

C1981022, Elk Creek Mine, SL-02 application

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Tue, Sep 17, 2019 at 10:29 AM

To: Doug Smith <Doug.Smith@oxbow.com>, savageandsavage@earthlink.net

Doug, Mike,

I received paper copies of the SL-02 application for the Elk Creek Mine.

The proposed public notice satisfies the requirements of Rule 3.03.2(1). After it has been published four times please send a copy of the proof of publication to the Division so that the application can be reviewed for completeness.

I did not find a copy of a written notice to the owners/representatives of Hotchkiss Ranch - was this an oversight?

Finally, the application is for partial Phase I and Phase II bond release, and in the public notice you state that "*OMLLLC is requesting Phase I and Phase II Bond Release for reclaimed surface facilities, mine ventilation boreholes, drill pads, and associated road segments, as well as facilities that have been re-purposed for industrial or commercial uses at the mine*". I want to make clear that for areas where the post-mining land use is industrial /commercial (and the land is being put to its intended use) there is no reason why it shouldn't be eligible for Phase III bond release.

Leigh Simmons
Environmental Protection Specialist



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