



STATE OF
COLORADO

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

West Elk Mine MR439 - PN C-1980-007 - PR-15

Desty Dyer <ddyer@blm.gov>

Thu, Nov 21, 2019 at 12:46 PM

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

Cc: Howard Strand <hstrand@osmre.gov>, "Welt, Kathy" <KWelt@archcoal.com>, Daniel Gray <degray@fs.fed.us>

Attached is our updated response to include the MCC Proposed Minor Revision 439 to add Mobile Flares on Mine Ventilation Borehole Sites.

If you have any questions please contact me.

Desty Dyer, ME, BLM-UFO

970-240-5302



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568K



United States Department of the Interior



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Montrose, CO 81401
www.blm.gov/co/st/en/fo/ufo.html

In Reply Refer to:
3480, COS05000
COC1362 & COC67232

Leigh D. Simmons, EPS
Colorado Division of Reclamation Mining and Safety
1313 Sherman Street Room 215
Denver CO 80203

NOV 21 2019

RE: Permit Boundary Expansion – Proposed Minor Revision 439 to add Mobile Flares on
Mine Ventilation Borehole Sites (MVBS) – West Elk Mine – PN C-1980-007 – PR-15

Dear Mr. Simmons:

This is to inform you that my staff has updated our August 6, 2018 review of the subject permit revision submitted by Mountain Coal Company (MCC) to revise operations at the West Elk Mine. Our current review includes MCC's submission on November 18, 2019 to install two mobile flaring units on active and/or sealed longwall panels' MVBS.

Our verification that the Federal mining leases with rights of surface access were issued effective December 1, 2017 remains the same. We are aware that a court order issued on November 8, 2019 remanded the OSM mine plan decision for further consideration has resulted in OSM providing additional environmental analysis. We are also aware that the proposed revision is being reviewed by the Mine Safety and Health Administration for compliance with safety and ventilation requirements.

In the meantime, we have determined that the proposed minor revision to the mine plan would comply with the Mineral Leasing Act of 1920, as amended, all applicable requirements of both 43 CFR Subpart 3480, and the conditions and special stipulations of the federal leases involved. We also find that maximum economic recovery of the federal coal within the active federal leases COC1362 and COC67232 would be achieved. These determinations cover the entire leased lands encompassed in PR-15. If you have any questions, please call Desty Dyer at 970-240-5302.

Sincerely,

Gregory Larson
Manager, Uncompahgre Field Office

CC Howard Strand, OSM; Dan Gray, USFS; and Kathy Welt, MCC