



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

December 3, 2020

Nick Mason
New Elk Coal Company LLC.
12250 State Highway 12
Weston, Co 81091

RE: New Elk Mine, C-1981-012, Succession of Operator (SO4), Incompleteness Notice

Dear Nick Mason

On November 25, 2020 the Division of Reclamation, Mining and Safety received your Request for Transfer of Coal Permit and Succession of Operators Permit Application package for the New Elk Coal Mine, File No. C-1981-012. Preliminary review of the information received determined that the following items must be received before the Division can consider your application as being submitted and technical review can begin:

2.08.6 Transfer, Assignment or Sale of Permit Rights.

1. Rule 2.08.06(2)(b)(iii) requires the revision of sections 2.03.4, 2.03.5, 2.03.6, 2.03.7(3), and 2.03.10. Section 2.03.4 was submitted, however the other sections were not. Please review these sections of the permit and if there are no changes to the sections please provide a statement to this effect, otherwise please submit a updated revised copies of each section.

Your application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt of all of the requested information. Additionally, if you have already published notice you will need to republish notice, after the Division considers the application submitted. Republication must occur once within ten (10) days of the submittal date. We will notify you when you should initiate republication of your notice. The final date for receiving comments is fifteen (15) days after the date of publication.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

Sincerely,

Daniel Cunningham
Environmental Protection Specialist

cc: Jared Ebert, DRMS

