



United States Department of the Interior

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Washington, D.C. 20240



MEMORANDUM

To: Casey Hammond
Principle Deputy Assistant Secretary,

From: Lanny E. Erdos
Director,
Office of Surface Mining Reclamation and Enforcement

Subject: Recommendation for Approval of the Proposed Mining Plan Modification for Federal Lease COC-78825 at the King II Mine, located in La Plata County, Colorado, owned by GCC of America, Inc. and operated by GCC Energy, LLC.

I recommend approval, without special conditions, of this mining plan modification of Federal Lease COC-78825 at GCC Energy, LLC's, King II Mine under the Mineral Leasing Act of 1920, as amended.

My recommendation to approve King II Mine's mining plan is based on:

- (1) GCC Energy, LLC's complete permit application package (PAP) including the Resource Recovery and Protection Plan (R2P2);
- (2) Compliance with the National Environmental Policy Act of 1969;
- (3) Documentation assuring compliance with applicable requirements of other Federal laws, regulations, and executive orders;
- (4) Comments and recommendations or concurrence of other Federal agencies, and the public;
- (5) The Bureau of Land Management's findings and recommendations regarding the R2P2, the Federal lease requirements, and the Mineral Leasing Act; and,
- (6) Findings and recommendations of the Colorado Division of Reclamation, Mining and Safety regarding the PAP and the State program.
- (7) OSMRE findings for Indian Lands permit.

The Secretary may approve a mining plan for Federal leases under 30 U.S.C. §§ 207(c) and 1273(c). In accordance with 30 C.F.R. Chapter VII, Subchapter D, I find that the proposed mining plan modification is in compliance with all applicable laws and regulations. The decision document for the proposed mining plan action is attached.

Attachment