



United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
Western Region Office
P.O. Box 25065
Lakewood, Colorado 80225



January 29, 2021

James Stark
Coal Program Supervisor
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Partial Phase III Bond Release SL-11; Mountain Coal Company, LLC; West Elk Mine; C-1980-007

Dear Mr. Stark,

This letter acknowledges the Office of Surface Mining Reclamation and Enforcement (OSMRE), Denver Field Branch's (DFB) receipt and review of the Colorado Division of Reclamation, Mining and Safety's (DRMS) November 3, 2020 Proposed Decision and Findings of Compliance regarding the West Elk Mine SL-11 partial Phase III bond release application. OSMRE agrees with the proposed decision and hereby provides concurrence in accordance with 30 CFR 740.15 (d)(3) and 30 CFR 906.30, Article IX, Section 24 of the State-Federal Cooperative Agreement.

By letter dated May 15, 2019 DRMS invited OSMRE to attend the June 3, 2019 field inspection at the West Elk Mine; OSMRE participated in the inspection. The surface and mineral ownership associated with SL-11 is federal. Accordingly, by letter dated January 27, 2021 the Bureau of Land Management, Uncompahgre Field Office provided its concurrence with DRMS's proposed decision. Likewise, by letter dated January 26, 2021 the USDA-Forest Service, Paonia Ranger District provided its concurrence with DRMS's proposed decision. OSMRE interprets this to mean Mountain Coal Company, LLC (MCC) is in compliance with all stipulations associated with its federal leases.

DRMS's proposed decision notes MCC's compliance with the approved Colorado regulatory program at Rule 3.03.1 (2)(c) and recommends approving partial Phase III bond release on 15.25 acres at the West Elk Mine. DRMS currently holds a performance bond in the amount of \$15,000,000 which covers the entire permit area including the acreage proposed for release. Under SL-11 DRMS proposes to release a total of \$26,825 from reclamation liability. OSMRE concurs with DRMS's proposed decision.

Thank you and your staff for coordinating this bond release action through the OSMRE Denver Field Branch. Please direct any questions to Tom Medlin, Environmental Protection Specialist, at tmedlin@osmre.gov.

Sincerely,

Howard E. Strand, Manager
Denver Field Branch

C: Mountain Coal Company, LLC