

United States Department of the Interior



OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
Western Region
P.O. Box 25065
Lakewood, CO 80225-0065



April 23, 2021

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

**Re: Partial Phase II and III Bond Release Application SL-6 and SL-7, Seneca Property, LLC,
Seneca IIW Mine, C-1982-057**

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) March 25, 2021 Proposed Decision and Findings of Compliance pertaining to Seneca Property, LLC's (Seneca) SL-6 partial Phase II and III bond release application and April 8, 2021 Proposed Decision and Findings of Compliance pertaining to Seneca Property, LLC's (Seneca) SL-7 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.

The surface and mineral ownership associated with these bond releases are federal and private. By letters dated June 23, 2020, DRMS invited The Bureau of Land Management (BLM), OSMRE, and private landowners to attend the bond release inspection on July 21, 2020. OSMRE and private landowners participated in the inspection. By letter dated April 19, 2021, BLM provided its concurrence with DRMS's proposed decisions for SL-7, and by letter dated April 20, 2021, BLM provided its concurrence with DRMS's proposed decisions for SL-6. OSMRE interprets this to mean Seneca is in compliance with all stipulations associated with its federal coal lease.

DRMS's proposed decision for SL-6 notes Seneca's compliance with the approved Colorado regulatory program at Rules 3.03.1(2)(b) and (c) and recommends authorizing partial Phase II/III bond release on 379.5 acres and partial Phase III bond release on 437.1 acres at the Seneca IIW Mine. DRMS's proposed decision for SL-7 notes Seneca's compliance with the approved Colorado regulatory program at Rules 3.03.1(2)(c) and recommends authorizing partial Phase III bond release on 367 acres at the Seneca IIW Mine. DRMS currently holds a performance bond in the amount of \$3,790,697.28 which covers the entire permit area, including the acreage proposed for release. Under SL-6, DRMS proposes to release a total of \$2,396,812.54 from Phase II and III bond liability. Under SL-7, DRMS proposes to release a

total of \$1,077,186.14 from Phase III bond liability. DFB concurs with DRMS's proposed decisions and recommends Phase II and III bond release for the requested areas at the Seneca IIW Mine.

Thank you and your staff for coordinating this bond release action through the DFB. Please direct any questions to Dan MacKinnon, Natural Resources Specialist, at dmackinnon@osmre.gov or (303) 236-4681.

Sincerely,

Howard E. Strand, Manager
Denver Field Branch

Cc: Seneca Property, LLC