

June 24, 2021

Miranda Kawcak  
Twenty Mile Coal Company  
29515 Routt County Road #27  
Oak Creek, CO 80467

**Re: Foidel Creek Mine; C-1982-056:  
Technical Revision No. 96 (TR 96)  
Adequacy Review No. 3**

Dear Mrs Kawcak:

The Colorado Division of Reclamation, Mining, and Safety (Division) has reviewed the adequacy responses received on June 22<sup>nd</sup> 2021 for the above referenced revision, which was a result of discussion from the SI3 informal conference. SI3 was initiated by the Division following the Midterm MT8 review. Please find below the adequacy review items that will need to be addressed prior to the Division's approval of the revision. The numbering has been maintained from the first adequacy letter.

1. Please provide the Division with a proof of publication.  
*Provided with response letter dated 4/27/21*

**2. With regard to Facilities PMT Map 31a Backfill & Regrade Boundaries:**

**It has come to attention of the Division in the process of verifying volumes for the regrade areas for Task 1 that the operator's intention is not to expand Task 1 into twenty-five more specific regrade tasks, as previously understood, but to replace thirty-four tasks from the original Midterm MT8 estimate. These thirty-four tasks include all the facilities area ponds backfill and regrade tasks. Ponds must remain in place during reclamation until disturbed areas associated with those ponds are bond released, so it is not appropriate to lump those volumes in with other general backfill tasks. During the informal conference the Division discussed reworking Task 1. The other thirty-three tasks were not a topic of discussion during the informal conference for SI3. If the operator would like to discuss the modification of those tasks please contact the Division for an additional meeting.**

**Please provide the Division with modified volumes associated with Task 1. If the operator would like additional tasks incorporated into Task 1, please provide a description name for those tasks.**

**Requested information below from the first two adequacy review letters are and were intended for areas associated with MT8 Task 1.**

- a. Please label map contours so that the Division is able to verify the proposed changes to backfill volumes.
- b. Please specify what is intended by "Design Contours". It is unclear if these contours are intended as post mining topography or some other elevation.
- c. Please provide greater detail on the map, specifically in the Pit Lake and portal area as the Division is not able to verify the proposed volumes with the map provided.
- d. Please modify the colors of the contours so that "Existing Contours" and "Design Contours" can be distinguished from each other.

3. **Please provide the Division with dimensions or cross sections for the Pit Lake and portal areas associated with the Divisions MT8 Task 1. This Division is not able to verify the amount of fill that will be needed to backfill these areas with the map provided.**

The Division's proposed decision for this revision is currently 6/25/2021. **Please note that the Division will be updating the CIRCES costs for the year on July 1, 2021.** If additional time is needed to address the issue above, please request an extension of the decision date. If you have any questions feel free to contact me at 720-618-0860 or by email [tabetha.lynch@state.co.us](mailto:tabetha.lynch@state.co.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tabetha Lynch", is positioned above the printed name.

Tabetha Lynch  
Environmental Protection Specialist