



STATE OF
COLORADO

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C1980007, West Elk Mine, SL-13, Initial Adequacy Review

1 message

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Thu, Jun 24, 2021 at 6:39 PM

To: "Poulos, Nicki" <npoulos@archrsc.com>

Cc: "Welt, Kathy" <KWelt@archrsc.com>, "Wilczek, Jessica" <jwilczek@archrsc.com>, "Gray, Daniel E -FS" <degray@fs.fed.us>

Attached

Leigh Simmons
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Adequacy letter, West Elk, SL-13, 1.pdf

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

Nicki Poulos
Mountain Coal Company, LLC
5174 Highway 133
Somerset, CO 81434
June 24, 2021

Re: West Elk Mine (Permit No. C-1980-007)
Surety Release No. 13, (SL-13)
Initial Adequacy Review

Dear Ms. Poulos,

The Colorado Division of Reclamation, Mining and Safety (Division) has completed the initial review of materials submitted by Mountain Coal Company, LLC (MCC) in support of the SL-13 partial phase II Bond Release application. Please respond to the adequacy items below.

The features on the map submitted with the SL-13 application are not labelled, however they can be identified by overlaying the map with other maps provided by MCC (for example, the MCC Reclamation Photograph Project 2020 map). This is the method that was used to identify the features discussed below.

1. The pad associated with the 17-08b and 17-08c holes has been reclaimed (see June Inspection Report, Figure 59) and is included on the SL-13 map, but is not included in SL-13 Table 1.

Please clarify whether 17-08b, -08c is included in the SL-13 application or not.

2. Based on the SL-13 Bond Release inspection, the E2-34 pad has been reclaimed, but the road segment from the Dry Fork Road, past E2-34, to the hairpin to E2-30.5 has not been reclaimed or has been re-disturbed (see June Inspection Report, Figure 36). The road segment is shown on the SL-13 map and included in SL-13 Table 1.

It appears that the "E2-34 & Access Road" was included in the SL-07 Partial Phase I Bond Release Findings, Table II. Due to the E2-34 Access Road not being reclaimed to meet Phase I standards, the inclusion of the E2-34 Access Road as a part of SL-07 was in error.

Please withdraw the E2-34 access road from the SL-13 application. Once reclamation has been achieved to meet Phase I standards it may be included with a future Bond Release application. Due to the acreage and liability of the E2-34 access road being released as a part of Bond Release SL-07, the acreage of the E2-34 access road will not be included in the calculations for the dollar amount to be released with the future Bond Release.



3. Based on the SL-13 Bond Release inspection, the pad associated with the E2-51, -52 and -54 holes has not been reclaimed (see June Inspection Report, Figures 66 and 67), but is shown on the SL-13 map and included in SL-13 Table 1. It appears that the pad has not received Phase I Bond Release.

Please withdraw the pad associated with the E2-51, -52 and -54 holes from the SL-13 application.

4. Based on the SL-13 Bond Release inspection, the pad associated with the E2-13 hole has not been reclaimed (see June Inspection Report, Figures 75 and 76) and is not shown on the SL-13 map, but it is included in SL-13 Table 1. It appears that the pad has not received Phase I Bond Release.

Please withdraw the pad associated with the E2-13 hole from the SL-13 application.

5. The pad and access road associated with the E4-80.5, -81.5 and -83 holes went through Phase I release with SL-05, and has been reclaimed (see June Inspection Report, Figure 8). The pad is shown on the SL-13 map, but is not included in SL-13 Table 1.

Please clarify whether E4-80.5, -81.5 and -83 is included in the SL-13 application or not.

6. Based on the SL-13 Bond Release inspection, the pad associated with the E3-68 and -72 holes has not been reclaimed (see June Inspection Report, Figure 9), but is shown on the SL-13 map and included in SL-13 Table 1.

It appears that "E3-68" and "E3-72" are line items included in the SL-08 Partial Phase I Bond Release Findings, Table II. Due to the E3-68 and E3-72 pad not being reclaimed to meet Phase I standards, the inclusion of E3-68 and E3-72 pad as a part of SL-08 was in error.

Please withdraw the "E3-68" and "E3-72" line items from the SL-13 application. Once reclamation has been achieved to meet Phase I standards it may be included with a future Bond Release application. Due to the acreage and liability of the E3-68 and E3-72 pad being released as a part of Bond Release SL-08, the acreage of the pad will not be included in the calculations for the dollar amount to be released with the future Bond Release.

7. Based on the SL-13 Bond Release inspection, the pad and spur road associated with the E3-64 and -65 holes has not been reclaimed (see June Inspection Report, Figures 12-15), but is shown on the SL-13 map and included in SL-13 Table 1.

It appears that "E3-64", "E3-65" and "Access Road to E3-64 & E3-65" are line items included in the SL-08 Partial Phase I Bond Release Findings, Table II. Due to E3-64, E3-65, and the Access

Road to E3-64 & E3-65 not being reclaimed to meet Phase I standards, the inclusion of these sites as a part of SL-08 was in error.

Please withdraw the “E3-64 & access road” and “E3-65 & access road” line items from the SL-13 application. Once reclamation has been achieved to meet Phase I standards these sites may be included with a future Bond Release application. Due to the acreage and liability of the E3-64 and E3-65 pads and Access Road being released as a part of Bond Release SL-08, the acreage of the pad and spur road will not be included in the calculations for the dollar amount to be released with the future Bond Release.

8. Based on the SL-13 Bond Release inspection, the pad associated with the E3-51 hole has not been reclaimed (see June Inspection Report, Figure 59), but is shown on the SL-13 map and included in SL-13 Table 1. It appears that the pad has not received Phase I Bond Release.

Please withdraw the pad associated with the E3-51 hole from the SL-13 application.

9. Based on the SL-13 Bond Release inspection, the pad associated with the E3-29 hole had not been reclaimed (see June Inspection Report, Figure 70), but is shown on the SL-13 map and included in SL-13 Table 1.

The plugging and abandonment of the E3-29 hole was released with SL-10, but it was noted in the SL-10 Findings document that the pad had not been reclaimed, and no acreage was released.

Please withdraw the E3-29 pad from the SL-13 application. Once reclamation has been achieved to meet Phase I standards the pad may be included in a future Bond Release application. The acreage of the E3-29 pad will be included in the calculations for the dollar amount to be released with that future Bond Release application.

10. The pad and access road associated with the E4-68 hole went through Phase I release with SL-05, and has been reclaimed (see June Inspection Report, Figure 10). The pad is included on the SL-13 map, but is not included in SL-13 Table 1.

Please clarify whether E4-68 is included in the SL-13 application or not.

11. Pads in Box Canyon (19-07, -08; 19-06; 20-23, -25; and 6-21-25.5, 5-21-28) were shown on the SL-13 map and in SL-13 Table 1, but the Box Canyon Road was not included in either. The road was reclaimed in 2012 and went through Phase I release with SL-05, it was inspected during the June SL-13 inspection (see June Inspection Report, Figure 78).

Please clarify whether the Box Canyon Road is included in the SL-13 application or not.

12. The following holes are not associated with disturbed acreage – per previous communication with MCC they were either drilled without a pad or were drilled on previously existing pads. They have not received Phase I Bond Release, and the only reclamation task associated with them is plugging and abandonment, which is a Phase I task.

- RPEE I12-04
- RPEE I12-05
- Well 96-2-2
- Well SOM-3B
- Well SOM-3E

Please withdraw these holes from the SL-13 application and include them with the SL-14 Partial Phase I application.

13. “West Flatiron Road” is included as a line item in SL-13 Table 1, but does not appear to be shown on the SL-13 map or to have been sampled by Cedar Creek Associates. It appears that the “West Flatiron Road” was included in the SL-07 Partial Phase I Bond Release Findings, Table II. The line item in that table specifies 5.80 acres for the feature.

Please clarify whether the “West Flatiron Road” is included in the SL-13 application or not, and if so, whether and how it was included in Cedar Creek Associates’ sampling program.

14. “Portal Investigation Holes – Lick Creek” are included as a line item in SL-13 Table 1, but are not shown on the SL-13 map, (or on the MCC Reclamation Photograph Project 2020 map).

Please clarify the location, acreage, and previous Bond Release status of “Portal Investigation Holes – Lick Creek”.

15. SL-13, Table 1 does not include the acreage associated with each itemized disturbance.

Please update Table 1 to incorporate the responses to items 1-13 above, and to include the acreage with each line item. Going forward, where there are conflicts between the SL-13 map and the table, it will be assumed that the table is authoritative so there is no need to update the map.

Yours sincerely,



Leigh Simmons
Environmental Protection Specialist

CC: Kathy Welt, Jessica Wilczek, Dan Gray