



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

1313 Sherman Street, Room 215
Denver, CO 80203

July 7, 2021

New Elk Coal Company, LLC.

Attn: Nick Mason

12250 State Highway 12

Weston, Colorado 81091

**RE: New Elk Mine, C-1981-012, Permit Revision No. 5 (PR5)
Notice of Incomplete Application**

Dear Nick Mason,

The Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received your response to the first incompleteness notice sent regarding the PR5 application. The following items will need to be addressed with the public notice before the Division can deem the application complete:

1. The current bonds for the site are corporate sureties, not letters of credit or in the form of cash bonds as the proposed notice states. Please revise the notice to indicate the bonds held for the site are in the form of corporate sureties.
2. Please revise the last paragraph to the notice regarding the request for a hearing because of affected land proposed to occur within and adjacent to the right-of-way for public roads to indicate that a hearing would be held in Las Animas County or virtually.
3. Please revise the last sentence of the notice to indicate this application is for a permit revision, not a permit renewal.

In accordance with Rule 2.07.3(1), you have the opportunity to amend, review, or otherwise make your application complete.

Sincerely,

Jared Ebert
Senior Environmental Protection Specialist

cc: Daniel Cunningham, DRMS

