

STATE OF  
COLORADO

Musick - DNR, Jason &lt;jason.musick@state.co.us&gt;

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**Re: Topsoil Removal Exemption Request**

1 message

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**Musick - DNR, Jason** <jason.musick@state.co.us>  
To: "Tennyson, Tony (Colowyo)" <ttennyson@tristategt.org>  
Cc: Zach Trujillo - DNR <zach.trujillo@state.co.us>

Thu, Nov 18, 2021 at 9:26 AM

Tony,

The Division agrees that the area above the highwall presents a hazard to topsoil removal efforts. The Division also understands that there is currently enough topsoil to be removed or topsoil that has been removed and stored to not represent a deficit of topsoil to achieve reclamation requirements. As noted in your email, please identify the proposed topsoil variance in the 2021 annual report and include the proposed narrative describing the topsoil removal variance.

Please let me know if you have any questions or comment,

Thanks,

Jason Musick  
Senior Environmental Protection Specialist



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

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On Thu, Nov 18, 2021 at 9:00 AM Tennyson, Tony (Colowyo) <ttennyson@tristategt.org> wrote:

Jason,

As we discussed, within the Collom Pit the D2 coal seam wall and bench has been developed to provide a coal face for highwall mining. This wall was developed along the estimated oxidation line as well as 50' depth-of-cover contour using the available geologic model. Following excavation of the highwall mining wall, it was discovered that the D2 seam was oxidized/burned and that the D2 seam did not exist at the current face of the excavated wall.

Following the initial excavation of the wall, the topsoil stripping boundary was extended outward to allow for wall advancement to the east under MR 238. This resulted in an area approximately 50' wide area that has not been stripped, and is located above a wall that is approximately 50' high. The surface grades above the wall range from 2.5:1 -3.0:1. Due to the steep grades as well as the heavily fractured, oxidized/burned wall, it is our determination that topsoil stripping within this narrow corridor presents a working hazard.

As such, we are requesting a topsoil stripping exemption for the proposed area which contains approximately 2,032 C.Y. of topsoil. This loss of 2,032 cubic yards of topsoil will not impact the overall topsoil balance for the Collom Pit. Currently, as shown in the annual reclamation report, Colowyo has available 12.5" of topsoil in stockpile to reclaim all

disturbed areas at the Colowyo Mine. This topsoil balance does not include additional topsoil that was removed in 2021 to support advancement of the Collom Pit.

As the Collom Pit is advanced through this proposed topsoil exemption area in the future, if at all possible, Colowyo will make an attempt to salvage the topsoil in this proposed exemption area if it is safe to do so. As has been previously done for topsoil exemption areas for Colowyo, the proposed topsoil exemption area (as shown on the attached map) will be documented in the 2021 annual reclamation report, which will be submitted to the Division in March of 2022. Colowyo will include the topsoil exemption boundary on the annual reclamation report map, and will include a narrative in the annual reclamation report describing why this topsoil exemption area was requested and the total estimated volume of topsoil that was exempted from removal.

Colowyo needs to have equipment working in the area of the topsoil exemption this weekend; therefore a timely response from the Division on this request would be greatly appreciated.

**Tony Tennyson**

Reclamation Manager

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