

**STATE OF  
COLORADO****Simmons - DNR, Leigh** <leigh.simmons@state.co.us>

---

**C1981022, Elk Creek Mine, SI-1 WITHDRAWN**

1 message

**Simmons - DNR, Leigh** <leigh.simmons@state.co.us>

Wed, Dec 8, 2021 at 3:05 PM

To: Doug Smith &lt;Doug.Smith@oxbow.com&gt;

Doug,

Attached is the decision form for Surety Increase No. 1 (SI-1).

Since the Reclamation Cost Estimate has been revised to a final amount that is less than the previous required surety, the decision is to withdraw SI-1.

In order to update the required surety the Division has initiated Surety Reduction No. 2 (SR-2). You will receive further correspondence on SR-2 shortly.

**Leigh Simmons**  
Environmental Protection Specialist**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

P 303.866.3567 x 8121 | C 720.220.1180 | F 303.832.8106

1313 Sherman Street, Room 215, Denver, CO 80203

leigh.simmons@state.co.us | <https://drms.colorado.gov>**C-SI-03\_C1981022\_LDS\_12072021034502.pdf**

182K



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman St. Room 215  
Denver, CO 80203

December 7, 2021

Doug Smith  
Oxbow Mining, LLC  
3737 Hwy 133  
P.O. Box 535  
Somerset, CO 81434

**Re: Elk Creek Mine (Permit No. C-1981-022)  
Surety Increase No. 1 (SI-1)**

Dear Mr. Smith:

This letter, in accordance with Rule 3.02.2(4)(a) of the Rules and Regulations of the Colorado Mined Land Reclamation Board for Coal Mining, is to inform you that the Division has issued a proposed decision to withdraw Surety Increase No. 1 (SI-1) for the Elk Creek Mine. Enclosed is the Division's decision form. Notice of the proposed decision will be published in the *Delta County Independent*, as soon as possible. The first day following publication of the notice initiates a thirty-day public comment period. If there are no requests for an adjudicatory hearing within the thirty days, the decision will become final.

You have the opportunity for an informal conference and the right to an adjudicatory hearing as outlined under Rule 3.02.2(4). If you have questions or are in need of additional information, please contact me.

Sincerely,

Leigh D. Simmons  
Environmental Protection Specialist  
Leigh.Simmons@state.co.us

Enclosures

C-SI-03





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

1313 Sherman St. Room 215 Denver, CO 80203  
P (303) 866-3567 F (303) 832-8106  
<https://drms.colorado.gov>

## COAL MINING PERMIT - SURETY INCREASE DECISION

Elk Creek Mine, Oxbow Mining, LLC  
Permit No. C-1981-022

The Division of Reclamation, Mining and Safety has issued the decision stated below. Provided there are no objections, the decision will become final upon the termination of the thirty (30) day public comment period, in accordance with the requirements of Rule 3.02.2(4).

Surety Increase No. 1

Decision: Withdraw

Submittal Date: July 14, 2021

Decision Date: December 6, 2021

Description of Increase: Surety Increase following MT-8.

DIVISION OF RECLAMATION, MINING AND SAFETY PERMITTEE

Authorized Representative - Division

Authorized Representative - Permittee (if applicable)

Date: December 7, 2021

Date:

CHANGE IN ACREAGE	REVISED TOTAL ACREAGE	PERFORMANCE BOND
Disturbed: 0.00	Disturbed: 239.20	Prior Liability: \$2,039,068.06
Affected: 0.00	Affected: 6,659.17	Change in Liability: \$0.00
Permit: 0.00	Permit: 15,676.51	Revised Liability: \$2,039,068.06
State: 0.00	State: 0.00	Bond Held: \$4,500,000.00
Federal: 0.00	Federal: 10,125.51	
Private: 0.00	Private: 5,551.00	
County: 0.00	County: 0.00	

REVISED APPLICATION PAGES

None

DELETED APPLICATION PAGES

REVISED MAPS

None

DELETED MAPS

---

None

None

C-SI-03