



STATE OF  
COLORADO

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

---

## CO-2020-001

---

**Stark - DNR, Jim** <jim.stark@state.co.us>

Wed, Jan 12, 2022 at 9:52 AM

To: "Norris, Weston" <Wnorris@archrsc.com>

Cc: Jason Musick <jason.musick@state.co.us>, Leigh Simmons <leigh.simmons@state.co.us>, Jeff Fugate <Jeff.Fugate@coag.gov>

Weston,

Please find attached the termination letter and Division's rational letter. Please let me know if you have any questions or need any additional information. Thanks and have a great day.

James R Stark  
Coal Program Director



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

P 303.866.3567 | C 720.724.0486 | F 303.832.8106  
1313 Sherman Street St., Suite 215, Denver, CO 80203  
[jim.stark@state.co.us](mailto:jim.stark@state.co.us) | <http://www.drms.colorado.gov>

---

### 2 attachments



**West Elk CO-2020-001 Termination Notice.pdf**  
125K



**Letter to Weston Norris Regarding Termination of CO-2020-001.pdf**  
378K



**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>

## TERMINATION NOTICE FOR NOTICE OF VIOLATION OR CESSATION ORDER FOR COAL OPERATION

TO: Weston Norris

Cessation Order No. **CO-2020-001**  
Date NOV or CO Issued: **June 18, 2020**  
Mine: **West Elk Mine**  
Operator (If **Mountain Coal Company, LLC**  
Other than  
Permittee):  
Mail Address: **5174 Highway 133**  
**Somerset, CO 81434**

Notice of Violation No. **CO-2020-001**  
Permit No.: **C-1980-007**  
County: **Delta, Gunnison**  
Type of Mine: **Underground**  
  
Permittee: **Mountain Coal Company,**  
**LLC**  
Mail Address: **5174 Highway 133**  
**Somerset, CO 81434**

Inspector: **James Stark**  
Dates of Abatement  
Abatement Step #      Infraction Abated  
1                              September 14, 2020  
2                              January 12, 2022

Rule 5.03.2(5)(d) states:

*An authorized representative shall immediately terminate a notice of violation or cessation order by written notice to the person issued the notice or order or his designated agent when such representative determines that all conditions, practices, or violations listed in the notice or order have been abated...*

The Division terminates a Notice of Violation or Cessation Order when all conditions, practices, or violations have been abated. That is, it is terminated when the **problem** has been rectified and no longer exists. The processes for appeal of the Notice of Violation and the assessment of civil penalty are not affected by the notice of termination.

Therefore, pursuant to Rule 5.03.2(5)(d), this letter serves as a written Notice of Termination for the above-referenced Notice of Violation or Cessation Order.

If you have any questions, please contact me.

DIVISION OF RECLAMATION, MINING AND SAFETY

Date of Issue: January 12, 2022



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

January 12, 2022

Weston Norris  
Mountain Coal Company, LLC  
5174 Highway 133  
Somerset, CO 81434

**Re: West Elk Mine (C-1980-007)**  
**Cessation Order CO-2020-001**  
**Request for Termination**

Dear Mr. Norris:

Please find attached the termination form for Cessation Order CO-2020-001(CO) for the West Elk Mine. On October 19, 2021 Mountain Coal Company, LLC (MCC) submitted Minor Revision No. 456 (MR-456) for the West Elk Mine. MR-456 revised previously approved permit text and maps and eliminated all proposed disturbances in longwall panels SS-2, SS-3, and SS-4 in the Sunset Roadless area. With the Division's approval of MR-456, MCC is no longer permitted to conduct ground disturbing activities in the Sunset Roadless area, rendering the CO moot. Any new proposed ground disturbing activities in the Sunset Roadless area will require the submittal and approval of a Technical Revision. As you know, MCC does not maintain legal right of entry for the Sunset Roadless area. This includes any potential redisturbance of the recently reclaimed road spurs and drill pads for longwall panel SS-2.

Please let me know if you have any questions or need any additional information.

Sincerely,

James R Stark  
Coal Program Director

