



STATE OF
COLORADO

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

SL-15 Phase I Bond Release Application

Poulos, Nicki <npoulos@archrsc.com>

Wed, Jan 26, 2022 at 1:17 PM

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

Cc: "Wilczek, Jessica" <jwilczek@archrsc.com>, "Norris, Weston" <Wnorris@archrsc.com>

Hello Leigh,

Attached is Mountain Coal Company's Application for Phase I Bond Release, SL-15. Included are also the Landowner Notifications which were delivered via email.

Please let me know if there is anything else required.

Thank you,

Nicki Poulos

Environmental Engineer

Mountain Coal Co. LLC

West Elk Mine

5174 HWY 133

Somerset, CO 81434

(Work) 970-929-2219

(Cell) 970-250-3796

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SL-15 SUBMITTAL PACKET (2).pdf
21062K



Nicki Poulos
Environmental Engineer I
npoulos@archrsc.com
Phone: 970.929.2219

Mountain Coal Company, LLC
A subsidiary of Arch Resources, Inc.
West Elk Mine
5174 Highway 133
Somerset, CO 81434

January 25, 2022

Mr. Leigh Simmons
Colorado Department of Natural Resources
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Mountain Coal Company, LLC, West Elk Mine; Permit No. C-1980-007; Request for SL-15 Phase I Bond Release of Mine Ventilation Boreholes and Associated Pads and Roads in the Dry Fork of Minnesota Creek Area

Dear Mr. Simmons:

Attached is Mountain Coal Company, LLC's (MCC) application for SL-15 Phase I Bond Release of several mine ventilation boreholes (MVB) and associated pads and roads. The proof of publication of the public notice and return receipts for the delivery of the landowner letters will be provided to the Division after they are received by MCC.

MCC requests Phase I Bond Release of about \$72,000.00 for eleven (11) MVB's and associated pads and roads that have been reclaimed within the Dry Fork of Minnesota Creek area (see SL-15 Tables I & II). These sites are located on National Forest System lands within portions of Sections 10 and 11 of Township 14 South, Range 90 West. The MVB sites and roads were necessary for temporary mine ventilation.

MCC's mining and reclamation permit was originally issued by the Mined Land Reclamation Board in July 1981, and subsequently renewed in August 1986, January 1993 (effective August 1991), July 1996, July 2001, April 2007 (effective July 2006), November 2011 (effective July 2011), and September 2020 (effective July 2016). The West Elk Mine five-year permit area contains lands in Sections 9-11, 13-36, T13S, R90W, 6th PM; Sections 23-26, T13S, R91W, 6th PM; and Sections 1-5, 8-12, 14-16, and 21-23, T14S, R90W, 6th PM in Delta and Gunnison Counties. The location of the lands can be found on the USGS 7.5 minute Somerset and Minnesota Pass Quadrangle Topographic Maps. The current permit area encompasses approximately 19,854.9 acres.

MCC holds reclamation surety bonds from Arch Insurance Company and Indemnity National Insurance Company (Bond numbers SU1116159 and N-7004698, respectively) totaling \$15 million. The reclamation cost estimates for the reclaimed sites that will be part of the requests are covered by these bonds.

Reclamation of the various site locations and roads within MCC's permit area was completed in 2020 through 2021. This included the plugging and sealing of nine (9) MVB's, as well as backfilling and regrading of the associated pad locations and access roads. MCC also reclaimed MVB pads on Sunset 2 (SS2) panel that were never drilled due to roadless rule and Cessation Order. The Cessation Order was terminated on January 12, 2022. The sites and roads proposed for bond release have been revegetated and stabilized using various methods of

seeding, fertilizing, and mulching with straw mulch and native vegetative debris. Approximately 7.65 total acres have received these treatments.

MCC also participates in a photograph project of reclaimed MVB sites. The Reclamation Photograph Report (initiated in 2004) has been an annual documentation project that MCC voluntarily performs. It demonstrates and documents qualitative reclamation success over time. In addition to the photographs in Appendix B, MCC has included a notarized professional engineer's certification in Appendix A that certifies the reclaimed areas in this application were backfilled and reclaimed to approximate original contour; drainages were reestablished, including drainage profiles; and drainage control has been established in accordance with the approved plan.

Included in this application are photos of the reclaimed Sunset Trail MVB's and roads and E7-6 and E8-6. MCC was unable to get to E7-8 & 9 before winter weather prevented travel to these sites. Attached are the plugged & abandoned reports for the MVB's and roads as well as the reclamation of SS2-3 & 5.

A copy of the proposed Public Notice as required by Rule 3.03.2(1)(b) is included in Appendix C and a copy of the written notice that was sent to adjacent land owners as required by Rule 3.03.2(1) is included in Appendix D. Also submitted are the plugging and abandonment reports in Appendix E. A map of the reclaimed sites at MCC is included in Appendix F.

If you have questions concerning this application for Phase I bond release or require further information, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Poulos".

Nicki Poulos
Environmental Engineer

cc: W. Norris
J. Wilczek

Attachments

Appendix A – Professional Engineer's Certification
Appendix B – Reclamation Photographs
Appendix C – Public Notice
Appendix D – Landowner Letters
Appendix E – Plug and Abandonment Reports
Appendix F – 2022 Phase 1 Bond Release Map

TABLE I - BONDING

<u>MCC Site Name / MVB Number</u>	<u>Total Number of Acres Reclaimed</u>	<u>RN-7 P&A Cost*</u>	<u>RN-7 Regrading Cost*</u>	<u>RN-7 Topsoil Cost*</u>	<u>RN-7 Seed Cost*</u>	<u>Total/ Hole RCE</u>	<u>Bond Release Requested 60%</u>
SS1-1	0.54	\$ 3,219.00	\$ 6,031.00	\$ 2,010.00	\$ 1,664.00	\$ 12,924.00	\$ 7,754.40
SS1-2 & Road	0.68	\$ 3,219.00	\$ 6,031.00	\$ 2,010.00	\$ 1,664.00	\$ 12,924.00	\$ 7,754.40
SS1-3 & Road	0.86	\$ 3,219.00	\$ 6,031.00	\$ 2,010.00	\$ 1,664.00	\$ 12,924.00	\$ 7,754.40
SS1-4	0.52	\$ 3,219.00	\$ 6,031.00	\$ 2,010.00	\$ 1,664.00	\$ 12,924.00	\$ 7,754.40
SS1-5	0.57	\$ 3,219.00	\$ 6,031.00	\$ 2,010.00	\$ 1,664.00	\$ 12,924.00	\$ 7,754.40
SS1-7 & Road	0.86	\$ 3,219.00	\$ 6,031.00	\$ 2,010.00	\$ 1,664.00	\$ 12,924.00	\$ 7,754.40
SS2-3 & Road	2.40	N/A	\$ 6,100.00	\$ 2,033.00	\$ 1,683.00	\$ 9,816.00	\$ 5,889.60
SS2-5 & Road	1.17	N/A	\$ 6,100.00	\$ 2,033.00	\$ 1,683.00	\$ 9,816.00	\$ 5,889.60
E7-6	0.57	\$ 2,219.00	\$ 1,846.00	\$ 615.00	\$ 509.00	\$ 5,189.00	\$ 3,113.40
E7-8 & Road	0.86	\$ 2,219.00	\$ 1,846.00	\$ 615.00	\$ 509.00	\$ 5,189.00	\$ 3,113.40
E7-9 & Road	0.82	\$ 2,219.00	\$ 1,846.00	\$ 615.00	\$ 509.00	\$ 5,189.00	\$ 3,113.40
E8-6 & Road	0.97	\$ 2,323.00	\$ 3,344.00	\$ 975.00	\$ 807.00	\$ 7,449.00	\$ 4,469.40
	TOTALS	\$ 28,294.00	\$ 57,268.00	\$ 18,946.00	\$ 15,684.00	\$ 120,192.00	\$ 72,115.20

* See Appendix G for excerpt from RN-7 RCE and table of RN-7 per hole calculations.

** See Table II - Reclaimed Drill Sites and Roads

TABLE II - RECLAIMED DRILL SITES AND ROADS

<u>MCC Site Name / MVB Number</u>	<u>Permit Revision</u>	<u>Coordinates</u>	<u>Acres</u>	<u>Year Reclaimed</u>	<u>Plug & Abandon Date</u>	<u>Hole Depth (ft.)</u>
SS1-1	PR15/MR435/ MR457	38° 50' 52.5078", 107° 25' 25.179"	0.54	2021	2021	1,159
SS1-2 & Road	PR15/MR435/ MR457	38° 50' 52.3062", 107° 25' 29.6538"	0.68	2021	2021	1,123
SS1-3 & Road	PR15/MR435/ MR457	38° 50' 54.1998", 107° 25' 35.3346"	0.86	2021	2021	1,143
SS1-4	PR15/MR435/ MR457	38° 50' 55.485", 107° 25' 42.909"	0.52	2021	2021	1,215
SS1-5	PR15/MR435/ MR457	38° 50' 56.7918", 107° 25' 50.145"	0.57	2021	2021	1,141
SS1-7 & Road	PR15/MR435/ MR457	38° 50' 59.985", 107° 26' 8.6598"	0.86	2021	2021	987
SS2-3 & Road	PR15	38° 50' 39.8976", 107° 25' 38.4852"	2.40	2021	N/A	N/A
SS2-5 & Road	PR15	38° 50' 43.1838", 107° 25' 52.5036"	1.17	2021	N/A	N/A
E7-6	PR14/TR140	38° 51' 30.3012", 107° 25' 51.7116"	0.57	2021	2020	975
E7-8 & Road	PR14/TR140	38° 51' 33.84", 107° 26' 15"	1.16	2021	2020	1,300
E7-9 & Road	PR14/TR140	38° 51' 35.3304", 107° 26' 27.2508"	0.82	2021	2020	1,277
E8-6 & Road	PR14/TR140	38° 51' 17.2578", 107° 25' 58.4184"	0.97	2021	2020	723
		Total Acres	7.95			

Certification of Reclamation

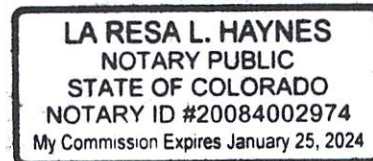
Based on my professional engineering judgment, I certify the reclaimed areas that are the subject of this bond release request were back-filled and reclaimed to approximate original contour; drainages were reestablished, including drainage profiles, and drainage controls were installed in accordance with the Act and Rules per Mountain Coal Company, LLC's approved reclamation plan.

Name: Jessica A. Wilczek
Signature: *Jessica Wilczek*
Registration: Colorado PE No. 39802



Subscribed and sworn before me this 25th day of January, 2022.

Notary Public *LaResa L. Haynes* Commission Expires 1-25-2024



Public Notice

Mountain Coal Company, LLC (MCC), 5174 Highway 133, Somerset, CO 81434, (970) 929-5015, has filed a request for partial, Phase I Bond Release of MCC's Mining and Reclamation Permit No. C-1980-007 with the Colorado Mined Land Reclamation Board (Board), under the provisions of the Colorado Surface Coal Mining Reclamation Act of 1979. The permit was originally issued by the Board in July 1981, and subsequently renewed in August 1986, January 1993 (effective August 1991), July 1996, July 2001, April 2007 (effective July 2006), November 2011 (effective July 2011), and September 2020 (effective July 2016). The West Elk Mine five-year permit area contains lands in Sections 9-11, 13-36, T13S, R90W, 6th PM; Sections 23-26, T13S, R91W, 6th PM; and Sections 1-5, 8-12, 14-16, and 21-23, T14S, R90W, 6th PM in Delta and Gunnison Counties. The location of the lands can be found on the USGS 7.5 minute Somerset and Minnesota Pass Quadrangle Topographic Maps. The current permit area encompasses approximately 19,854.9 acres.

MCC is requesting Phase I Bond Release of approximately \$72,000.00 (i.e. sixty percent (60%) of the \$158,186.00 reclamation performance bond posted) for mine ventilation boreholes (MVBs) and associated pads and roads that have been reclaimed within the Dry Fork of the Minnesota Creek area totaling about 6.96 acres. These sites are located on National Forest System lands within portions of Sections 10 and 11 of Township 14 South, Range 90 West.

Reclamation of the various site locations and roads within MCC's permit area was completed in 2020 through 2021. Reclamation included proper plugging and sealing of MVBs, as well as backfilling and regrading pad locations and access roads. The borehole sites and roads proposed for bond release have been revegetated and stabilized using various methods of seeding, fertilizing, and mulching.

A copy of the Phase I Bond Release application is available for review at the Colorado Division of Reclamation, Mining and Safety (CDRMS), 1313 Sherman Street, Room 215 Denver, CO 80203, phone (303) 866-3567, and the Gunnison County Planning Office, 221 N. Wisconsin, Suite D, Gunnison, CO 81230. Comments or objections concerning the application should be directed to the CDRMS at the above address within thirty (30) days of the last publication of this notice, or within thirty (30) days of the completed inspection, whichever is later.



E7-6



E8-6



SS1-1



SS1-2



SS1-3



SS1-4



SS1-5



SS1-7



SS2-3



SS2-5



SS2-3&5 with reclaimed road



Nicki Poulos
Environmental Engineer I
npoulos@archrsc.com
Phone: 970.929.2219

Mountain Coal Company, LLC
A subsidiary of Arch Resources, Inc.
West Elk Mine
5174 Highway 133
Somerset, CO 81434

January 25, 2022

Desty Dyer
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401

Mr. Levi Broyles, District Ranger
USDA Forest Service
Paonia Ranger District
P.O. Box 1030
Paonia, CO 81428

Gunnison Board of County Commissioners
Gunnison County Courthouse
200 East Virginia, Suite 104
Gunnison, CO 81230

Ark Land LLC
c/o Mountain Coal Company, LLC
5174 Highway 133
Somerset, CO 81434

Minnesota Canal & Reservoir Company
41103 Lamborn Mesa Road
Paonia, CO 81428

Re: Mountain Coal Company, LLC, West Elk Mine; Permit No. C-1980-007; Notice of Request for Phase I Reclamation Bond Release- Notice sent via email

To Whom It May Concern:

In compliance with Rule 3.03.2(1) of the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining ("the Regulations"), 1980, as revised, Mountain Coal Company, LLC (MCC) is providing this notice to inform the above-mentioned landowners that MCC plans to request from the Colorado Division of Reclamation, Mining and Safety (CDRMS) a partial release of the reclamation liability held in surety bonds. The bond release requests are planned for several reclaimed mine ventilation boreholes (MVB) and associated pads and roads within the Dry Fork of Minnesota Creek area. MCC is requesting Phase I bond release for up to 60% of the reclamation bond held by the CDRMS for each site.

In accordance with the Regulations, Phase I bond release may be requested after backfilling, regrading and drainage control has been successfully completed in accordance with MCC's approved reclamation plan. Backfilling and grading are considered to be complete when the final post-mine topography has been achieved in accordance with the permit, including establishment of the approved permanent stormwater drainage controls.

MCC holds reclamation surety bonds from Arch Insurance Company and Indemnity National Insurance Company (Bond numbers SU1116159 and N-7004698, respectively) totaling \$15 million. The reclamation cost estimates for the reclaimed sites that will be part of the requests are covered by these bonds. The cost estimates were calculated by the CDRMS before the approval of each project's permit revision application was issued. The reclamation cost estimates include plugging the drill holes, removal of any surface facilities, regrading the area to approximate original contours, replacing topsoil, and revegetating the sites and roads. The estimates also include CDRMS overhead and contingency costs. These estimates have been

subsequently updated and increased, if needed, during permit renewal and mid-term reviews, considering the most current materials, fuel and labor costs, etc.

MCC's mining and reclamation permit was originally issued by the Mined Land Reclamation Board in July 1981, and subsequently renewed in August 1986, January 1993 (effective August 1991), July 1996, July 2001, April 2007 (effective July 2006), November 2011 (effective July 2011), and September 2020 (effective July 2016). The West Elk Mine five-year permit area contains lands in Sections 9-11, 13-36, T13S, R90W, 6th PM; Sections 23-26, T13S, R91W, 6th PM; and Sections 1-5, 8-12, 14-16, and 21-23, T14S, R90W, 6th PM in Delta and Gunnison Counties. The location of the lands can be found on the USGS 7.5 minute Somerset and Minnesota Pass Quadrangle Topographic Maps. The current permit area encompasses approximately 19,854.9 acres.

The reclaimed sites are located on National Forest System lands within portions of Sections 10 and 11 of Township 14 South, Range 90 West. The MVB sites and roads were necessary for temporary mine ventilation.

Reclamation of the various site locations and roads within MCC's permit area was completed in 2020 through 2021. This included the plugging and sealing of eleven (11) MVBs, as well as backfilling and regrading of the associated pad locations and access roads. The sites and roads proposed for bond release have been revegetated and stabilized using various methods of seeding, fertilizing, and mulching with straw mulch and native vegetative debris. Approximately 7.65 total acres have received these treatments.

If you have any questions or need further information concerning this notice of MCC's bond release requests, please contact me at (970) 929-2219.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Poulos".

Nicki Poulos
Environmental Engineer

cc: D. Finnerty, ARKL
L. Simmons, CDRMS
W. Norris, MCC
J. Wilczek, MCC

RACS, LLC

22235 H75 Rd., Delta, CO 81416

(970) 874-7393

WELL ABANDONMENT REPORT

Date _____

Well Identification

Owner _____

Well Number _____

Well Location (township & range) _____

(Lat / Long) _____

County _____ State _____ Elevation _____

Existing Well Details

Is a well drillers report available? ____Yes ____No

Nature of use & current status _____

Hole Depth _____ Feet Hole Diameter _____ Inches

Surface Casing type / Wt. _____ / _____ Size _____ Depth _____

Intermediate Casing Type / Wt. _____ / _____ Size _____ Depth _____

Completion Blank Casing Type / Wt _____ / _____ Size _____ Depth From _____ To _____

Completion Perf casing Type / Wt _____ / _____ Size _____ Depth From _____ To _____

Static Fluid Level Depth _____ Feet - Artesian Flow _____ GPM - Shut-In Pressure _____ PSI

Notes _____

Abandonment Details

Reason for Abandonment _____

Bridge Plug type _____

TD of well or Bridge Plug Depth _____ Feet

Total fluid volume of well from TD or Bridge Plug _____ Gallons

Total volume of fluid used _____ Gallons

Method of sealing material placement _____

Casing cut to ____ Ft. below surface P&A Marker type _____

Date of Abandonment Completion _____

Depth (Feet)		Material Used	Quantity	Density
From	To		Gal. / CuFt. / Sks.	Lbs./Gal.

Notes _____

* All depths are from top of surface casing

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TD of well or Bridge Plug Depth _____ Feet

Total fluid volume of well from TD or Bridge Plug _____ Gallons

Total volume of fluid used _____ Gallons

Method of sealing material placement _____

Casing cut to ____ Ft. below surface P&A Marker type _____

Date of Abandonment Completion _____

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From	To		Gal. / CuFt. / Sks.	Lbs./Gal.

Notes _____

* All depths are from top of surface casing

RACS, LLC

22235 H75 Rd., Delta, CO 81416

(970) 874-7393

WELL ABANDONMENT REPORT

Date _____

Well Identification

Owner _____

Well Number _____

Well Location (township & range) _____

(Lat / Long) _____

County _____ State _____ Elevation _____

Existing Well Details

Is a well drillers report available? ____Yes ____No

Nature of use & current status _____

Hole Depth _____ Feet Hole Diameter _____ Inches

Surface Casing type / Wt. _____ / _____ Size _____ Depth _____

Intermediate Casing Type / Wt. _____ / _____ Size _____ Depth _____

Completion Blank Casing Type / Wt _____ / _____ Size _____ Depth From _____ To _____

Completion Perf casing Type / Wt _____ / _____ Size _____ Depth From _____ To _____

Static Fluid Level Depth _____ Feet - Artesian Flow _____ GPM - Shut-In Pressure _____ PSI

Notes _____

Abandonment Details

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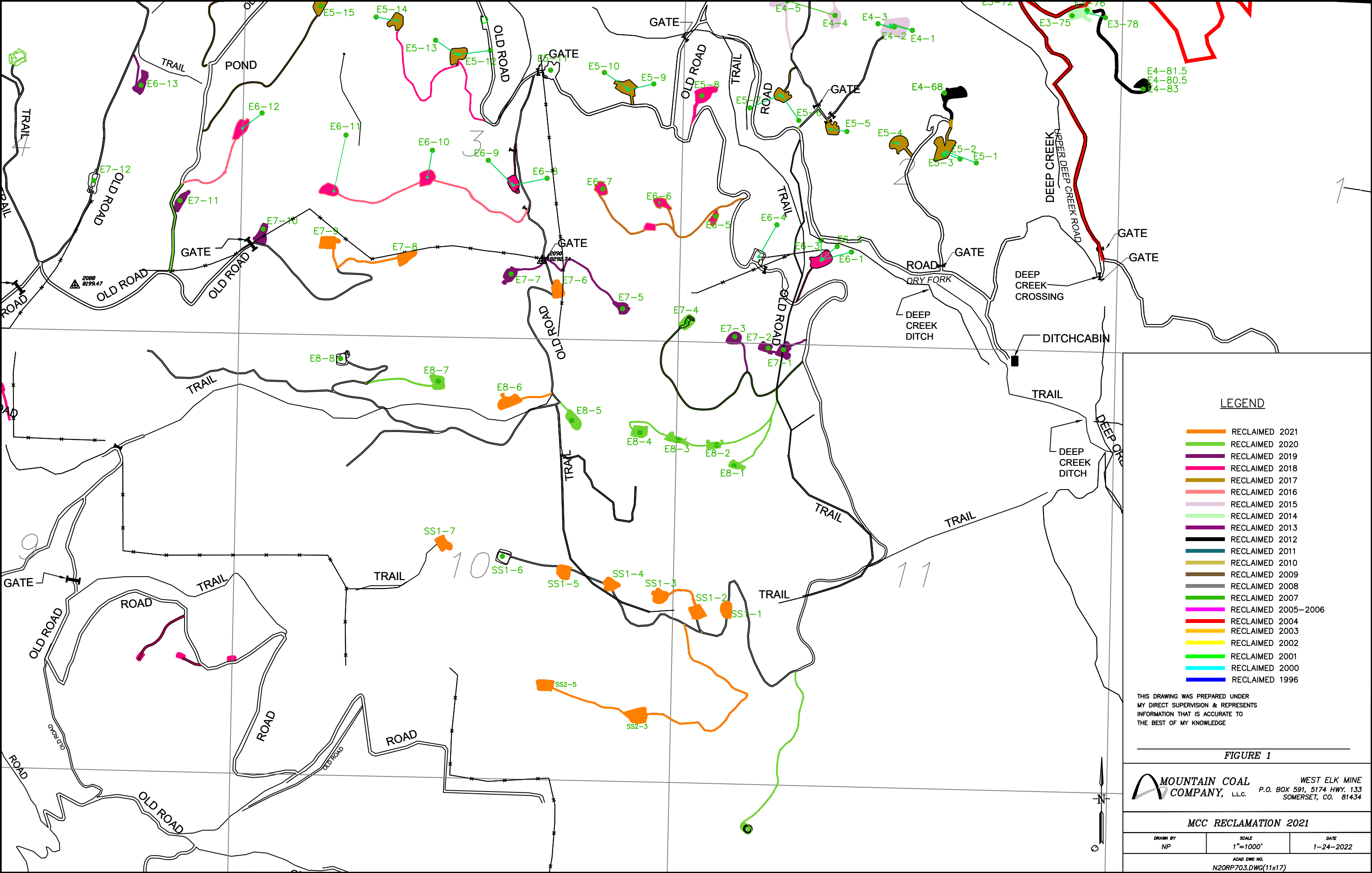
Casing cut to ____ Ft. below surface P&A Marker type _____

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LEGEND

- RECLAIMED 2021
- RECLAIMED 2020
- RECLAIMED 2019
- RECLAIMED 2018
- RECLAIMED 2017
- RECLAIMED 2016
- RECLAIMED 2015
- RECLAIMED 2014
- RECLAIMED 2013
- RECLAIMED 2012
- RECLAIMED 2011
- RECLAIMED 2010
- RECLAIMED 2009
- RECLAIMED 2008
- RECLAIMED 2007
- RECLAIMED 2005-2006
- RECLAIMED 2004
- RECLAIMED 2003
- RECLAIMED 2002
- RECLAIMED 2001
- RECLAIMED 2000
- RECLAIMED 1996

THIS DRAWING WAS PREPARED UNDER
MY DIRECT SUPERVISION & REPRESENTS
INFORMATION THAT IS ACCURATE TO
THE BEST OF MY KNOWLEDGE

FIGURE 1

MOUNTAIN COAL
COMPANY, L.L.C. WEST ELK MINE
P.O. BOX 591, 5174 HWY. 133
SOMERSET, CO. 81434

MCC RECLAMATION 2021

DRAWN BY NP	SCALE 1"=1000'	DATE 1-24-2022
ACAD DWG NO. N20RP703.DWG(11x17)		

From: [Microsoft Outlook](#)
To: [Finnerty, David](#)
Subject: Delivered: Phase I Bond Release 2022
Date: Wednesday, January 26, 2022 1:01:52 PM
Attachments: [Phase I Bond Release 2022.msg](#)

Your message has been delivered to the following recipients:
Finnerty, David (Dfinnerty@archrsc.com) <mailto:Dfinnerty@archrsc.com>
Subject: Phase I Bond Release 2022

From: [Dyer, Desty D](#)
To: [Poulos, Nicki](#)
Subject: Read: [EXTERNAL] Phase I Bond Release 2022
Date: Wednesday, January 26, 2022 1:02:31 PM
Attachments: [Read EXTERNAL Phase I Bond Release 2022.msg](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Microsoft Outlook](#)
To: sawhorse@tds.net
Subject: Relayed: Phase I Bond Release 2022
Date: Wednesday, January 26, 2022 1:03:27 PM
Attachments: [Phase I Bond Release 2022.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
sawhorse@tds.net (sawhorse@tds.net) <mailto:sawhorse@tds.net>
Subject: Phase I Bond Release 2022

From: [Microsoft Outlook](#)
To: dbishop@gunnisoncounty.org
Subject: Relayed: Phase I Bond Release 2022
Date: Wednesday, January 26, 2022 12:56:05 PM
Attachments: [Phase I Bond Release 2022.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
dbishop@gunnisoncounty.org (dbishop@gunnisoncounty.org) <mailto:dbishop@gunnisoncounty.org>
Subject: Phase I Bond Release 2022

From: postmaster@usdagcc.onmicrosoft.com
To: [Poulos, Nicki](#)
Subject: Delivered: [External Email]Phase I Bond Release 2022
Date: Wednesday, January 26, 2022 12:55:30 PM
Attachments: [Delivered External EmailPhase I Bond Release 2022.msg](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: postmaster@usdagcc.onmicrosoft.com
To: [Poulos, Nicki](#)
Subject: Delivered: [External Email]Phase I Bond Release 2022
Date: Wednesday, January 26, 2022 12:55:30 PM
Attachments: [Delivered External EmailPhase I Bond Release 2022.msg](#)

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