

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

C1980007, West Elk Mine, 2021 ARR Review

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

Tue, Apr 12, 2022 at 1:20 PM

To: "Poulos, Nicki" <npoulos@archrsc.com>

Nicki,

The Division's review of the 2021 Annual Reclamation Report is attached. There are some small corrections for you to make. I'd appreciate it if you would submit a revised copy of the form through the e-permitting portal as soon as you are able to.

I want to thank you for your diligence in this reporting effort - I know it can seem troublesome chasing the acres (and tenths and hundredths of acres) and making sure the columns add up, but the data on the form is reported directly to OSMRE. That data collated at the federal level is of considerable public interest, and it is to the benefit of all concerned to ensure that it is as accurate as possible.

Leigh Simmons
Environmental Protection Specialist



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

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2021 ARR review.pdf

148K



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

Nicki Poulos
Mountain Coal Company, LLC
5174 Highway 133
Somerset, CO 81434

April 12, 2022

Re: West Elk Mine (Permit No. C-1980-007)
Annual Reclamation Report, 2021

Dear Ms. Poulos,

The Division has reviewed the 2021 Annual Reclamation Report (ARR) for the West Elk Mine.

With respect to Rule 2.04.13:

1. The report was received by the Division on February 1, 2022.
 - a. Name: West Elk Mine
Address: 5174 Highway 133, Somerset, CO 81434
Permit #: C1980007
 - b. No additional acres were disturbed during 2021
 - c. 7.65 acres were backfilled and graded during 2021
 - d. 7.65 acres were topsoiled during 2021
 - e. 7.65 acres were seeded during 2021
 - f. A map was enclosed with the 2021 report, showing the locations of disturbance reclaimed during 2021.
2. Photographs were included, showing the reclamation of a sample of the pads reclaimed in 2021.

Further comments are given below. Those that are in bold type should be addressed.

- The Division notes that the reported Acres Disturbed (542.99) is slightly less than the Division's record of Permitted Disturbed Acreage (554.43).
- The reported Acres Disturbed (542.99) is equal to the sum of Acres Backfilled and Graded (154.30) and Acreage in Long-term Facilities (388.69) for 2020, but for 2021



those figures do not equate. It seems that 7.65 acres was added to the Acreage in Long-term Facilities rather than subtracted which has led to the discrepancy. **Please correct the Long-term Facilities table.**

- The Division's record of Bond Release acreages does not match the table in the ARR. In 2020 the cumulative total of acres released was 121.44 (Phase I), 67.60 (Phase II), and 61.55 (Phase III). In 2021 three Bond Release requests were approved and issued: SL-12 (22.58 acres, Phase I), SL-13 (50.04 acres, Phase II) and SL-14 (12.05, Phase I). Adding the 2021 Bond Release acreages to the prior year's cumulative totals gives a cumulative total at the end of 2021 of 156.07 (Phase I), 117.64 (Phase II), and 61.55 (Phase III). **Please correct the Bond Release table.**

Sincerely,

A handwritten signature in blue ink, appearing to read "Leigh Simmons".

Leigh Simmons
Environmental Protection Specialist