

STATE OF  
COLORADO

Ebert - DNR, Jared &lt;jared.ebert@state.co.us&gt;

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## New Elk Mine, C-1981-012, Surety Increase No. 4 (SI4) - Financial Warranty Due

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Ebert - DNR, Jared &lt;jared.ebert@state.co.us&gt;

Thu, Sep 29, 2022 at 1:21 PM

To: Nick Mason &lt;nmason@newelkcoal.com&gt;

Cc: bstormes@newelkcoal.com, "Stark, Jim" &lt;jim.stark@state.co.us&gt;, Jeffrey Thompson - DNR

&lt;jeffreyc.thompson@state.co.us&gt;, Brock Bowles &lt;brock.bowles@state.co.us&gt;

Hello Nick,

Please see the attached issuance letter for the final decision for SI4. The Division must receive the required surety increase by October 24, 2022 or we will be forced to take enforcement action. Please contact Jeff Thompson (cc'ed) to this email should you have any questions regarding increasing the financial warranty.

Thank you,

Jared

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Jared Ebert

Senior Environmental Protection Specialist

**\*I am working remotely, please feel free to call my cell at (720) 413-6466****COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

P 303.866.3567 ext. 8120 | F 303.832.8106 |

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

[jared.ebert@state.co.us](mailto:jared.ebert@state.co.us) | <https://drms.colorado.gov/>**SI4\_Issuance\_C1981012\_29Sep2022.pdf**

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

September 29, 2022

Mr. Mark Gray  
New Elk Coal Company, LLC.  
12250 Highway 12  
Weston, Co 81091

**RE: New Elk Mine; C-1981-012; Bond Adjustment/Surety Increase No. 4 (SI4) - Issuance**

Dear Mr. Gray,

The Division of Reclamation, Mining and Safety's (DRMS or Division) Proposed Decision to approve Surety Increase No. 4 at the New Elk Mine became final on September 24, 2022. Notice of the proposed decision was published in the *The Chronicle - News* on August 24, 2022, initiating the thirty (30) day public comment period for the Division's decision. No comments were received during the comment period.

The required surety at the site is now \$5,218,954.00. The former required surety set for the site was \$4,605,014.08. The net increase in required surety is \$613,939.92. The Division currently holds a surety in the amount of \$4,647,856.08. Therefore, New Elk Coal Company, LLC. must submit an additional \$571,097.92 in bond. The bond must be increased as required by **October 24, 2022**, failure to submit the required surety increase shall result in the initiation of an enforcement action.

If you have any questions feel free to contact me at [Jared.Ebert@state.co.us](mailto:Jared.Ebert@state.co.us) or at (303) 866-3567, extension 8120.

Sincerely,

Jared Ebert  
Senior Environmental Protection Specialist

EC: Nick Mason, NECC  
Bill Stormes, NECC  
Jeff Thompson, DRMS  
Jim Stark, DRMS  
Brock Bowels, DRMS

