



January 9, 2023

Mr. Zach Trujillo
Environmental Protection Specialist
Colorado Division of Reclamation, Mining & Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Colowyo Coal Company L.P.
Permit No. C-1981-019
Technical Revision No. 157 (TR-157)
2nd Adequacy Response

Dear Mr. Trujillo,

Tri-State Generation and Transmission Association Inc. (Tri-State), is the parent company to Axial Basin Coal Company, which is the general partner to Colowyo Coal Company L.P. (Colowyo). Therefore, Tri-State on behalf of Colowyo is submitting this adequacy response for technical revision 157 (TR-157) to Permit No. C-1981-019.

Tri-State received a second adequacy letter for TR-157 from the Division dated January 9, 2023, and has the following response to the Division:

- 1. Currently with the issuance of Technical Revision No. 154, the Colowyo Mine reclamation plan is approved for spoil to remain out of pit permanently near the Collom Pit along with a total of 6,608,464 c.y. of temporary spoil to be transported and used to finish backfilling the remaining portion of the Collom Pit once mining has concluded. However, if the Division were to currently perform the reclamation at the Collom Pit, it is unclear if the 6,608,464 c.y. of temporary spoil would be sufficient to backfill the Collom Pit as it is currently is as well as future approved mining progression. Please provide the Division with additional information showing that the 6,608,464 c.y. of temporary spoil is sufficient to backfill the maximum extent of volume necessary at the Collom Pit or with the amount of temporary spoil that will be needed to backfill the maximum extent of volume necessary at the Collom Pit.*

Response: As discussed with the Division via telephone on January 5, 2023, Exhibit 13C has been updated to reflect that the 6,608,464 cubic yards of material necessary to backfill the Collom Pit is the maximum volume necessary.

**TRI-STATE**

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Division: The Division has performed a cost estimate to determine the releasable liability based on the removal of requested items under TR-157. This includes items not constructed such as 14 manhole covers and a Collom electrical substation as well as changes approved from Colowyo Mine TR-154. TR-154 adjusted the post-mining topography that changed to total temporary out-of-pit spoil from 26 million c.y. to approximately 6.6 million c.y. that is to be used for final backfill of the Collom Pit. The total releasable amount of this estimate is **\$38,218,109.00** (see attached cost estimate). The Division's cost estimate is consistent with previous cost estimates approved by both the Division and Colowyo. The Division respectfully requests a response from Colowyo with any questions regarding the cost estimate or an acceptance of the Division's estimate.

Response: Tri-State on behalf of Colowyo has reviewed the Division's total releasable amount of \$38,218,109.00 and hereby provides concurrence with the Division's estimate.

If you should have any additional questions or concerns, please feel free to contact Tony Tennyson at (970) 824-1232 at your convenience.

Sincerely,

DocuSigned by:
A handwritten signature in black ink that reads "Chris Gilbreath".
D250C711D0BF450...

Chris Gilbreath
Senior Manager,
Remediation and Reclamation

CG:TT:der

cc: Tony Tennyson (via email)
File: C. F. 1.1.2.143
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