

United States Department of the Interior



OFFICE OF SURFACE MINING
Reclamation and Enforcement
Western Region Office
P.O. Box 25065
Lakewood, Colorado 80225



December 18, 2023

Jason Musick
Coal Program Director
Colorado Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Partial Phase II Bond Release SL-22; Colowyo Coal Company, LP; Colowyo Coal Mine; C-1981-019

Dear Mr. Musick,

This letter acknowledges the Office of Surface Mining Reclamation and Enforcement - Denver Field Branch's (OSMRE-DFB) receipt and review of the Colorado Division of Reclamation, Mining and Safety's (DRMS) November 3, 2023, Proposed Decision and Findings of Compliance regarding the Colowyo Mine SL-22 partial Phase II bond release application. OSMRE agrees with the proposed decision and hereby provides concurrence in accordance with 30 CFR 740.15 (d)(3) and 30 CFR 906.30, Article IX, Section 24 of the State-Federal Cooperative Agreement.

By email dated September 1, 2023, DRMS invited OSMRE to attend the SL-22 field inspection at the Colowyo Mine; OSMRE participated in the inspection which was held on September 6, 2023. The surface ownership is private and the mineral ownership is federal. By memo dated December 15, 2023, the Bureau of Land Management, Little Snake Field Office provided its concurrence with DRMS's proposed decision. OSMRE interprets this to mean Colowyo is in compliance with all stipulations associated with its federal coal leases.

DRMS's proposed decision notes Colowyo's compliance with the approved Colorado regulatory program at Rule 3.03.1(2)(b) and recommends approving partial Phase II bond release on 148.4 acres at the Colowyo Mine. DRMS currently holds a performance bond in the amount of \$130,000,000.00 which covers the entire permit area including the acreage proposed for release. Under SL-22 DRMS proposes to release a total of \$537,225.00 from Phase II bond liability. OSMRE concurs with DRMS's proposed decision.

Thank you and your staff for coordinating this bond release action through the OSMRE Denver Field Branch. Please direct any questions to Dan MacKinnon, AML and Regulatory Program Specialist, at dmackinnon@osmre.gov.

Sincerely,

Jessica Vigil, acting for:
Howard E. Strand, Manager
Denver Field Branch

C: Tony Tennyson

