



January 17, 2024

Kurt Blunt
Blue Mountain Energy, Inc.
3607 County Rd. 65
Rangely, CO 81648

**RE: Deserado Mine, Permit No. C-1981-018
3rd Quarter 2023 Professional Certification for the Coal Processing Waste
Banks**

Dear Kurt,

The Division of Reclamation, Mining and Safety (the Division) has reviewed the Professional Certification for the Coal Processing Waste Banks for the 3rd quarter of 2023. The Division finds the report to be in compliance with the following Rules:

4.10.2(1) – The coal waste banks were inspected, on behalf of the person conducting surface coal mining operations, by a qualified registered engineer.

4.10.2(2)(a) – The inspection was conducted quarterly as required by the Division.

4.10.2(2)(b) – The inspection included observations necessary to evaluate the potential hazard to human life and property, to ensure that all organic material and topsoil have been removed and that proper construction and maintenance are occurring in accordance with the plan submitted under Rule 2.05.3(8) and approved by the Division.

4.10.2(2)(c) – The engineer considered the steepness of the slopes, seepage, and other visual factors which would indicate potential failure, and the results of failure with respect to the threat to human life and property.

4.10.2(2)(d) – Copies of the inspection findings are maintained at the mine site.

4.10.2(3) – There were no potential hazards identified in the 3rd Quarter Professional Certification for the Coal Processing Waste Banks.

Refuse material was hauled and placed at the RP-A refuse pile during the 3rd quarter. There were no indications of seepage or any indications of slope failure. The slopes of



the piles are stable and only some localized erosion has occurred. The surface drainage facilities are properly conveying surface runoff from the refuse bank areas.

Adequacy Questions:

1. The 3rd quarter report does not discuss if compaction tests were performed.
Please include in future quarterly reports a short discussion of whether or not compaction tests were performed during the quarter.
2. Were compaction tests performed during the 3rd quarter of 2023?

This concludes the Division's review of the 3rd Quarter 2023 Professional Certification of the Coal Processing Waste Banks for the Deserado Mine. If you have any questions, please contact me at (303)-866-3567 x 8185 or clayton.wein@state.co.us.

Sincerely,

A handwritten signature in black ink that reads "Clayton Wein". The signature is written in a cursive, slightly slanted style.

Clayton Wein
Environmental Protection Specialist
clayton.wein@state.co.us

cc: Travis Marshal, Senior Environmental Protection Specialist