

# United States Department of the Interior



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



January 25, 2024

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

Re: Partial Phase I, II, and III Bond Release SL-3; Hayden Gulch Terminal, LLC; Hayden Gulch Loadout; C-1992-081

Dear Mr. Musick,

This letter acknowledges the Office of Surface Mining Reclamation and Enforcement (OSMRE), Denver Field Branch's (DFB) receipt and review of the Colorado Division of Reclamation, Mining and Safety's (DRMS) January 4, 2024 Proposed Decision and Findings of Compliance regarding the Partial Phase I, II, and III Bond Release of the Hayden Gulch Loadout.

By email dated September 21, 2023, DRMS invited OSMRE to attend the SL-3 field inspection at the Hayden Gulch Loadout; OSMRE participated in the inspection which was held on October 12, 2023. The surface ownership is private and no mineral rights were part of this bond release application; as such, concurrence from any other federal agency is not required.

DRMS's proposed decision notes Hayden Gulch Terminal, LLC's compliance with the approved Colorado regulatory program at Rule 3.03.1(2)(a-c) and recommends approving partial Phase I, II, and III bond release on 214.1 acres at the Hayden Gulch Loadout. DRMS currently holds a performance bond in the amount of \$865,033.00 which covers the entire permit area including the acreage proposed for release. Under SL-3 DRMS proposes to release a total of \$826,596.00 from Phase I, II, and III 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](mailto:dmackinnon@osmre.gov).

Sincerely,

Howard E. Strand, Manager  
Denver Field Branch

C: Hayden Gulch Terminal, LLC