



United States Department of the Interior

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



August 8, 2024

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

Re: Partial Phase III Bond Release SL-17; Mountain Coal Company, LLC; West Elk Mine; C-1980-007

Dear Mr. Musick:

This letter acknowledges the Office of Surface Mining Reclamation and Enforcement's (OSMRE) receipt and review of the Colorado Division of Reclamation, Mining and Safety's (DRMS) July 15, 2024 Proposed Decision and Findings of Compliance for the West Elk Mine SL-17 partial Phase III 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 letter dated March 17, 2023 DRMS invited OSMRE to attend the SL-17 field inspection at the West Elk Mine. OSMRE participated in the inspection which was held June 27 - 29, 2023. Portions of the surface and mineral ownership associated with SL-17 are federal. Accordingly, by letters dated August 5, 2024 and July 19, 2024 the Bureau of Land Management – Uncompahgre Field Office and US Forest Service – Paonia Ranger District, respectively, provided their concurrence with DRMS's proposed decision. OSMRE interprets this to mean Mountain Coal Company, LLC (MCC) is in compliance with all stipulations related to its federal leases.

DRMS's proposed decision notes MCC's compliance with the Colorado regulatory program at Rule 3.03.1(2)(c) and recommends approving partial Phase III bond release on 9.25 acres at the West Elk Mine. DRMS currently holds a performance bond in the amount of \$15,000,000.00 which covers the entire permit area including the acreage proposed for release. Under SL-17 DRMS proposes to release a total of \$29,411.89 from reclamation liability. OSMRE concurs with DRMS's proposed decision.

Sincerely,

Howard E. Strand, Manager
Denver Field Branch

cc: Mountain Coal Company, LLC