

PEABODY SAGE CREEK MINING LLC

Red Rock Pit

March 14, 2012

Mr. Dustin Czapla
Division of Reclamation, Mining and Safety
101 South 3rd, Suite 301
Grand Junction, CO 81501

RECEIVED
APR 16 2012
GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

**RE: Red Rock Pit, Permit No. M-1978-315
112 Permit Conversion Application
Response to Comment Round 3**

Mr. Czapla,

Peabody Sage Creek reviewed your letter dated April 3, 2012 and has prepared the response.

- *The Vegetation Information (6.4.10) submitted with the CN1 application states that the estimated ground cover at the site is 35 percent. Pursuant to Rule 3.1.10(1), areas where revegetation is part of the Reclamation Plan, land shall be revegetated at least equal in extent of cover to the natural vegetation of the surrounding area. The Division believes that vegetation should be established on the mined slopes during reclamation, in order to prevent erosion and to help stabilize the highwalls. Please demonstrate to the Division how the applicant proposes to comply with Rule 3.1.10(1).*

Response:

- 1) The Geologic Hazard Evaluation and Slope Stability Analyses indicate that the Factor of Safety will range from 1.7 to 5.0 indicating a stable slope. However minor intermittent rockfalls and erosion of the exposed bedrock materials should be anticipated.

Topsoil and 35% cover on 1H:1V slopes will not alleviate this situation.

- 2) PSCM is removing +90% of the material in the mining area...there will be very limited material left to backfill against a 50 to 200 foot highwall so that topsoil can be safely replaced.
- 3) In order to reduce the final highwall slope to safely operate equipment to replace topsoil, the crest pushback could add up to 15 acres of additional disturbance.

- 4) As stated in CN1, Section 6.4.5(2)(c) - *“The final reclaimed configuration will consist of steep backslopes (up to 1H:1V) and flatter bench or floor areas parallel to Routt County Road 53. The steeper slopes, a result of the final excavation, will be left natural (no topsoil) whereas the flatter bench areas will be covered with the available stored soil/growth medium.”*

PSCM will replace topsoil on areas where equipment can work safely (i.e. slopes flatter than 2H:1V). All disturbed areas, including the highwalls, will be reseeded. This will result in a higher cover percentage in the flatter areas than currently exists overall.

With the above discussion in mind, PSCM requests a variance from Rule 3.1.10(1) in areas where there is insufficient backfill to reduce the highwalls slopes to a grade that equipment can safely operate on.

Please contact me (Scott Cowman) at (970) 276-7003 if there are any further questions or concerns.

Sincerely,



B. Scott Cowman
Permittee Contact
Peabody Sage Creek Mine
Red Rock Pit

attachment(s)