



State
of
Colorado

Talvitie - DNR, Marcia <marcia.talvitie@state.co.us>

Bond Release

message

Talvitie - DNR, Marcia <marcia.talvitie@state.co.us>

Tue, Jan 22, 2013 at 1:57 PM

To: jguire@gmail.com

Cc: "Sandra L. Brown" <Sandy.Brown@state.co.us>

Mr. Guire:

This message is a response to your inquiry last Friday, January 18, 2012 regarding the New Horizon Mine permit and specifically the SL-14 bond release application.

During our phone call, you had questions about the timing of the bond release process, which I summarized in general terms. You also had a question about the final step of the process, e.g. when the Division proposes a decision to approve the Phase III bond release. SL-14 requests final Phase III bond release for an area that includes numerous surface owners. You were curious as to what would happen if one of the surface owners should be dissatisfied with the Division's decision, and request an adjudicatory hearing as described in Rule 3.03.2(6). Specifically, would potential release of the areas of all surface owners be held up by the objection of one party to that release?

The Regulations of the Colorado Mined Land Reclamation Board for Coal Mining do not address this particular issue. Unfortunately, given the length and complexity of the review ahead, I am unable to provide you with an answer to your question; there are simply too many variables.

Please let me know if you have any additional questions.

Sincerely,

Marcia L. Talvitie, P.E.

Environmental Protection Specialist

Colorado Division of Reclamation, Mining and Safety

Durango Field Office

691 CR 233, Suite A-2

Durango, Colorado 81301

(970) 247-1184

(303) 866-3567 x8178