January 4, 2022

Sent via electronic mail

Sabrina Temple
Decker Coal Company, LLC
West Decker Coal Mine
P.O. Box 12
Decker, MT  59025-0000

Permit ID: C1987001C
Revision Type: Bond Release
Permitting Action: Deficiency
Subject: SL8; 1st Round Completeness Deficiency

Dear Sabrina:

The Department of Environmental Quality (DEQ) reviewed Bond Release Application SL8, for Phase III release to determine if all the appropriate rules have been addressed. The following deficiencies must be addressed before the application can be ruled complete:

**ARM 17.24.726:** Grazing Land does not meet the technical standard for woody plant density as presented. Page 9 of the Phase III Revegetation Monitoring Report dated September 14, 2021 states: “Woody plant density did not meet the technical standard in Grazing Land in either year”. A table submitted on Page 9 shows the statistical results as well. As such these acres are in-eligible for release at this time the way the data is presented.

Acres submitted for pastureland include multiple areas that were mined and reclaimed pre-law. These areas should be broken out from the rest of the post-mine land uses since they were not reclaimed to a set post-mine land use at that time and post mine land use is not a requirement for that reclamation.

Since these areas and grazing land may overlap in some instances, please re-map these areas and assess the data to determine which areas are eligible for each land use type.

**ARM 17.24.1111:** Numbers 3 and 4 of B1 within the Bond Release form were not calculated. Please include calculations for these values.

Please update “Coal and Opencut Mining Bureau” to “Mining Bureau” on landowner letters and the public notice.
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“Revegetation” cost does not match what is in the bond. Please use $1,633,684 for “revegetation cost” in calculating bond associated with the proposed release.

**ARM 17.24.1111(3):** Sections 27 and 28 of Township 9 South, Range 40 East were not included in the Application for Bond Release, as well as the Letter to Landowners.

**ARM 17.24.1111(4):** A notarized statement is not included in the application package. Please include and resubmit.

**ARM 17.24.1116(6):** A portion of field N1uF96 has not achieved bond release for Phase I or II due to an underground coal fire. The map must be corrected to remove this area and acreages adjusted properly.

Upon receipt of acceptable responses to these deficiencies, DEQ will determine the application to be complete.

Please feel free to contact Michael Glenn at (406) 444-3401 with questions regarding this letter.

Sincerely,

Robert Smith, Supervisor
Coal Section
Mining Bureau
Phone: (406) 444-4967
Fax: 406-444-4988
Email: RSmith2@mt.gov

Cc: Jeff Fleischman, Office of Surface Mining
Erica Trent, Office of Surface Mining
Please see attached correspondence. Have a great day!

Sharona Gilbert  |  Program Support Specialist
Coal Section  |  Mining Bureau
Montana Department of Environmental Quality
Office: 406-444-4966