

# News Release



USDA Forest Service  
Grand Mesa, Uncompahgre and Gunnison National Forests  
2250 Highway 50  
Delta, CO 81416-2485

## FOR IMMEDIATE RELEASE

Contact(s): **Lee Ann Loupe, Public Affairs Specialist, 970-874-6717**

### **DECISION RELEASED FOR WEST ELK MINE PLAN**

**Delta, CO., (March 7, 2008)** – The Grand Mesa, Uncompahgre and Gunnison National Forest released a Record of Decision (ROD) for the E Seam Methane Drainage Wells at the West Elk Mine. The ROD provides Forest Service concurrence to the federal Office of Surface Mining Reclamation and Enforcement to recommend approval (to the USDI Assistant Secretary for Lands and Minerals) to *modify* the mine plan for the West Elk Mine to for methane drainage needed to ensure worker safety in accordance with the Mine Safety and Health Administration (MSHA) requirements. Included in the ROD are the requirements identified by the Forest Service (within its authority and jurisdiction) necessary to protect surface natural resources on national forest lands.

The final Environmental Impact Statement (FEIS) for the project was released in August 2007 along with the decision to allow construction of the Deer Creek Shaft. The previous ROD for the E Seam Methane Drainage Wells was released on November 8, 2007 and was subsequently appealed. The decision was reversed and remanded by the Rocky Mountain Region and returned to the Forest because of conflicting information within the project record regarding the feasibility of flaring the methane gas that would be released during operations and to determine the jurisdictional authority to require the capture or flaring of methane.

“Underground coal mines are one of the most regulated industries nation-wide, including on the western slope. Many people assume that the Forest Service has control of mining operations that are located on national forest lands and can require the methane gas released for safe operations of the mine to be flared, captured and/or used. This assumption is false,” stated GMUG Forest Supervisor Charlie Richmond.

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Richmond went on to state, “A general public consensus exists that methane gas should be captured and put to beneficial use. The Forest Service agrees whole-heartedly with this; however, my authority does not include the ability to require flaring or capture. MSHA has notified the Forest Service that flaring is not a feasible option and they would not approve a flaring operation at this time.”

The FEIS and the new ROD for the Deer Creek Shaft and E Seam Drainage Wells discloses the potential effects, mitigations, requirements and alternatives to protect the surface resources associated with these coal leases and the mining operations performed by the Mountain Coal Company (MCC). Appeals requesting administrative review of this decision must be in writing and filed with the Appeal Deciding Officer within 45 days following the date of publication of the legal notice in the Grand Junction Sentinel. Copies of the FEIS and ROD are available on the Forest’s website at: <http://www.fs.fed.us/r2/gmug/policy>

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