

Thunder Basin Coal Company

Please find Thunder Basin Coal Company's comments on the proposed financial assurance rules.



February 8, 2019

Wyoming Department of Environmental Quality
Land Quality Division
200 West 17th Street, Suite 10
Cheyenne, WY 82002

RE: Comments on Proposed Financial Assurance Rules

Dear Mr. Wendtland:

Thunder Basin Coal Company, LLC (TBCC) operates a number of surface coal mines in Wyoming and is a member of the Wyoming Mining Association (WMA). The option to use self-bonding to meet the mine's financial reclamation obligations has been an important tool for the mining companies. We have reviewed the proposed bond rules as outlined in Chapters 11 and 20 of the Coal Rules and Regulations, and Chapters 6 and 12 of the Non-Coal Rules and Regulations. The rules as proposed effectively remove the option of self-bonding from the majority of the Wyoming mining companies as most companies are unable to meet the required credit rating as outlined in the rules. This will create a financial hardship on the mining industry and ultimately may cause a competitive disadvantage for the Wyoming operations in the national and international markets.

TBCC agrees that it may be time to review the financial assurance rules; as these rules have not been revised in a number of years and there have been changes in the mining industry and the financial environment in which the companies operate. WMA has provided a number of comment letters expressing concerns about the proposed rules dated February 8, 2019, September 18, 2018, March 22, 2018 and February 26, 2018. TBCC supports these comments and asks the Environmental Quality Council (EQC) to carefully review them. Self-bonding must remain a viable option for financially healthy mining companies. These rules remove the option of self-bonding for most companies and therefore we ask the EQC to not approve them. LQD should continue exploring options to ensure that self-bonding remains a viable option.

We appreciate the opportunity to comment and express our support of the WMA comments. We believe that LQD should continue its efforts to update the rules but that it is not prudent to promulgate the rules as written.

Sincerely,

A handwritten signature in black ink that reads "Keith Williams". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Keith Williams
Group President, Western Operations

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