




COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY COAL PROGRAM INSPECTION REPORT



PERMIT INFORMATION

Permit Number: C-1981-013 Mine Name: Golden Eagle Mine Operator: New Elk Coal Company, LLC Operator Address: Mr Mark Haywood 12250 State Highway 12 Weston, CO 81091	County: Las Animas Operation Type: Underground Permit Status: Permanent Cessation Ownership: Private
	Operator Representative Present: Vince Masarotti
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: October 1, 2013 Inspection Start Time: 15:00 Inspection End Date: October 2, 2013 Inspection End Time: 10:00	Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Clear
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Leigh D. Simmons	Inspector's Signature:  Signature Date: October 9, 2013

Inspection Topic Summary

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

NA - Air Resource Protection

R - Availability of Records

NA - Backfill & Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

Y - Fish & Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

NA - Other

NA - Processing Waste

Y - Roads

Y - Reclamation Success

R - Revegetation

NA - Subsidence

NA - Slides and Other Damage

NA - Support Facilities On-site

R - Signs and Markers

Y - Support Facilities Not On-site

NA - Special Categories Of Mining

NA - Topsoil

COMMENTS

This was a complete inspection by Leigh Simmons of Colorado Division for Reclamation, Mining and Safety, (the Division). The inspection was accompanied by Vince Masarotti of New Elk Coal Company, (NECC). The weather was fine. The weather had been mostly dry over the preceding few weeks, following a very wet monsoon season.

Consistent with the format of recent inspection reports, items needing action will be highlighted using bold text. Where possible, these items should be addressed before the next inspection. Several permitting actions are in progress, these are detailed under the heading GENERAL MINE PLAN COMPLIANCE.

Arcadis had recently been on site to conduct vegetation sampling.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The records had been moved to a new office in the Technical Services building. The jumble of box files had been filed into a large filing cabinet, making the files much easier to navigate. Detailed comments are at the end of this report.

HYDROLOGIC BALANCE - Rule 4.05

Drainage Control 4.05.1, 4.05.2, 4.05.3; Siltation Structures 4.05.5, 4.05.6; Discharge Structures 4.05.7, 4.05.10; Diversions 4.05.4; Effluent Limits 4.05.2; Ground Water Monitoring 4.05.13; Surface Water Monitoring 4.05.13; Drainage – Acid and Toxic Materials 4.05.8; Impoundments 4.05.6, 4.05.9; Stream Buffer Zones 4.05.18:

The erosive area at the north eastern edge of the permit boundary had not yet been addressed. **Mr Masarotti plans to use some bales to slow down flow. The area will continue to be monitored to determine if further repairs are necessary.**

GENERAL MINE PLAN COMPLIANCE:

The mine was in compliance with the permit. Technical Revision 57 is still in progress, NECC are in the process of responding to some adequacy issues.

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2

The valves shown in photo 2 of the April 29th inspection report are associated with gas pipelines. The valves are located outside of the disturbance boundary, but are within the permit boundary. Rule 2.10.3(e) requires that any pipelines within the permit boundary be displayed on a map. NECC should verify the location of the pipeline and ensure that it is included on a map to be submitted with TR57.

NECC have carried out some vegetation sampling in order to prepare for a future bond release application. The currently approved sampling plan will likely be difficult to implement over such a small site. It is anticipated that NECC will use TR57 to revise the permit to include a more appropriate sampling plan - presumably the data that has recently been completed will be usable under the future plan.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

As commented above, vegetation sampling has recently been completed. Arcadis were contracted to do the work. The results have not yet been analysed.

SIGNS AND MARKERS – Rule 4.02:

The mine ID sign must include the phone number for the Division.

DOCUMENTS RECEIVED

N/A

OTHER (SPECIFY)

N/A

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2

ENFORCEMENT ACTIONS/COMPLIANCE

No enforcement actions are in progress and none are necessary as a result of this inspection.

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2

PHOTOGRAPHS



Photo 1: Erosion to be controlled with bales and monitored

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2

AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Expires 6/22/2014
Permit Application w/Revisions	(Binder)
Findings Document	MTR 4/23/2012
Insurance Certificate	Expires 9/23/2013*1
Bond Document	\$72,099
Phased Bond Release	SL6
Documents/Findings	
Air Emission Permits	Cancelled 9/1997
County Special Use Permits	n/a
UG Mining Landowner Notification	n/a
Subsidence Monitoring Reports	n/a
Subsidence Monitoring Data	n/a
Rill & Gully Survey	Terminated
Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	2012
Midterm Review Documents	4/23/2012
DRMS/OSM Inspection	Through
Reports/Enforcement Actions (3 Years)	6/2013*2
Transfers/Succession of Operator	(Binder) 5/5/2008
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	MTR findings 4/23/2012

CERTIFICATIONS

Pond Certifications	n/a
Annual Certifications for Impoundments	n/a
Fill Certifications for Excess Spoil or Underground Development Waste	n/a
• Quarterly Inspections	n/a
• Compaction Testing	n/a
• Final Certification	n/a
Coal Processing Waste Banks	n/a
Haul Road Certifications	n/a
Access Road Certifications	n/a

HYDROLOGIC RECORDS

NPDES Permit	Terminated 1995 & 2003
NPDES Records	n/a
Stormwater Management Plan	n/a
SPCC Plan	n/a
MSHA Pond Inspections	n/a
State Engineer's Pond Inspection	
Quarterly Pond Inspections	n/a
Annual Hydrology Reports	n/a
• Ground Water Monitoring	n/a
• Surface Water Monitoring	n/a
• Spring & Seep Monitoring	n/a
• Mine Water Discharge Monitoring	n/a
• Mine Inflow Study	n/a
• Water Consumption Records	n/a
Well Permits	*3

BLASTING RECORDS

Blasting Publication	n/a
Blasting Records (3 years)	n/a
ATFE Explosives Permit	n/a
Blasting Variances	n/a
Pre-Blast Surveys	n/a

ADDITIONAL RECORDS (specify)

COMMENTS:

*1 Although the insurance certificate in the binder was out of date, proof of insurance through 4/24/2014 was demonstrated, and the certificate was forwarded to the Division

*2 DRMS inspection reports for July, August and September had not been filed, but the reports were available

*3 Transferred to New Elk mine

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2