




COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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PERMIT INFORMATION

Permit Number: C-1981-012 Mine Name: New Elk Mine Operator: New Elk Coal Company, LLC Operator Address: Mr. Louis Head 12250 Highway 12 Weston, CO 81091	County: Las Animas Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: Vince Massarotti
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: June 7, 2017 Inspection Start Time: 13:00 Inspection End Date: June 8, 2017 Inspection End Time: 14:00		Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Raining	
Joint Inspection Agency: None		Joint Inspection Contacts:	
Post Inspection Agency: None		Post Inspection Contacts:	
Inspector(s): Robert D. Zuber, P.E.	Inspector's Signature: 		Signature Date: 6/19/2017

Inspection Topic Summary

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

Y - Air Resource Protection

R - Roads

Y - Availability of Records

Y - Reclamation Success

Y - Backfill & Grading

R - Revegetation

R - Excess Spoil and Dev. Waste

Y - Subsidence

NA - Explosives

Y - Slides and Other Damage

Y - Fish & Wildlife

R - Support Facilities On-site

R - Hydrologic Balance

Y - Signs and Markers

Y - Gen. Compliance With Mine Plan

R - Support Facilities Not On-site

N - Other

Y - Special Categories Of Mining

R - Processing Waste

R - Topsoil

COMMENTS

A complete inspection was conducted by Rob Zuber of DRMS on June 7 and 8, 2017. The weather entailed rain at times, and NECC staff indicated that many days prior to the inspection also experienced rain. The ground was muddy. The NECC representative who participated in the inspection was Vince Massarotti.

EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09

Placement; Drainage Control; Surface Stabilization:

No problems were seen with the Development Coal Waste Pile; the vegetation cover is very good. Erosion on DWDA#2 did not appear to be excessive compared to previous months.

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 silt fence below the SAE by Pond 007A appeared to be in good shape, although there was turbid water discharging through the outlet structure for this SAE, and significant water was ponded on the road above.

Ponds 001A, 007A, and 08 were inspected, and none of them were discharging. The impounded water was relatively high in all three ponds due to rains. No significant issues were seen with the pond structures.

Containment Area 5 was holding water that was several feet below the top of the structure. There was no sign of problems with this structure.

Ditch D18 (along the road to water tanks) was inspected, and it appears to be functioning. Per the specification in the PAP (Table 20), the upper part of this ditch is undersized, and NECC should check this. Possibly there is an error in the table.

Number of Partial Inspection this Fiscal Year: 9Number of Complete Inspections this Fiscal Year: 4

Ditches D7, D9, and the eastern part of D55 are in good shape and sized properly. No erosion was seen at the point where D55 ends and the water is dumped into an undisturbed area.

Northeast of the C&W Shop and the West Portal storage area, a ditch has been recently maintained by Vince Massarotti; it is functioning well.

PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11

Drainage Control; Surface Stabilization; Placement:

The upper (un-reclaimed) portion of the RDA still requires grading of material. The interface between the upper portion of the RDA and the lower (reclaimed) portion looks good, with the ditch deep enough to prevent flow of runoff over the berm. There is very good vegetation cover on the reclaimed portion of the RDA. During the inspection water was flowing in the western side channel.

ROADS – Rule 4.03

Construction 4.03.1(3)/4.03.2(3)

Drainage 4.03.1(4)/4.03.2(4)

Surfacing and Maintenance 4.03.1(5) and (6)/4.03.2(5) and (6)

Reclamation 4.03.1(7)/4.03.2(7):

The roads to the water tanks and the RDA were functional. The area below the RDA road, viewed from across the valley, does not appear to have been damaged by sediment loading from the road.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

Weed spraying operations were underway at the site. NECC staff indicated that knapweed has been seen, and this information should be transmitted to officials at Las Animas County.

SUPPORT FACILITIES - Rule 4.04:

No significant issues were seen with the facility areas, including the West Portal area.

OFFSITE SUPPORT FACILITIES - Rule 4.04, 4.28:

No erosion or other issues were seen with the Jansen Loadout.

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TOPSOIL – Rule 4.06

Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:

Maintenance of silt fence is needed at the soil storage area.

ENFORCEMENT ACTIONS/COMPLIANCE

No enforcement actions were initiated as a result of this inspection, nor are any pending.

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PHOTOGRAPHS



RDA from Pond 08



Pond 08 spillway and Containment Area 5

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Discharge from SAE beside Pond 007A



Silt fence below SAE beside Pond 007A

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Pond 001A



Pond 001A and development waste piles

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RDA – interface between upper and lower portions



RDA – upper portion

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Expired 2/28/14. Comment 1
Permit Application w/Revisions	yes
Findings Document	RN6, June 2017
Insurance Certificate	Exp. 4/24/2018
Bond Document	\$4,133,137.02 (9 cash bonds)
Phased Bond Release Documents/Findings	SL2, Findings 11/15/06
Air Emission Permits	84LA074F-1, 84LA074F-2
County Special Use Permits	n/a – see letter in Exhibit 5
UG Mining Landowner Notification	Feb. 2012
Subsidence Monitoring Reports	n/a
Subsidence Monitoring Data	n/a
Rill & Gully Survey	6/9/2016
Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	2016
Midterm Review Documents	MT7, 2016
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Through May 2017
Transfers/Succession of Operator	To NECC, executed 2/2/2006
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	Comment 2
CERTIFICATIONS	
Pond Certifications	yes
Annual Certifications for Impoundments	Pond 08, Dec 2016

HYDROLOGIC RECORDS

NPDES Permit	CDPS C-00906 (exp. May 2020)
NPDES Records	Through March 2017
Stormwater Management Plan	Jan 2016
Spill Prevention Containment & Control Plan	April 2012
MSHA Pond Inspections	Pond 8, Dec 2016
State Engineer's Pond Inspection	n/a
Quarterly Pond Inspections	Through Q1 2017
Annual Hydrology Reports	2016
• Ground Water Monitoring	6/7/2017
• Surface Water Monitoring	6/7/2017
• Spring & Seep Monitoring	unknown
• Mine Water Discharge Monitoring	yes
• Mine Inflow Study	p. 3-4 of 2014 AHR (old study)
• Water Consumption Records	Thru 6/2/2017
Well Permits	yes

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

(continued)

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AVAILABILITY OF RECORDS
(continued)

Underground Development Waste Banks

• Quarterly Inspections	<u>Through Q1 2017</u>
• Compaction Testing	<u>n/a</u>
• Final Certification	<u>n/a</u>

Coal Processing Waste Banks

• Quarterly Inspections	<u>Through Q1 2017</u>
• Compaction Testing	<u>3/7/2016</u>
• Final Certification	<u>n/a</u>

<u>Haul Road Certifications</u>	<u>4/18/2012,</u> <u>7/25/2012</u>
<u>Access Road Certifications</u>	<u>Maps 11 & 12</u>

COMMENTS:

1. RN-06 has been approved and is pending issuance.
2. RCE from RN6/TR68: \$4,122,800, November 2014. RCE from MT-07: \$4,034,998.07, August 2016.

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