




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

1313 Sherman Street, Room 215, Denver, CO 80203 P 303.866.3567 F 303.832.8106 <http://mining.state.co.us>

**PERMIT INFORMATION**

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

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> October 3, 2017 <b>Inspection Start Time:</b> 15:00 <b>Inspection End Date:</b> <b>Inspection End Time:</b>		<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear	
<b>Joint Inspection Agency:</b>  None		<b>Joint Inspection Contacts:</b>	
<b>Post Inspection Agency:</b>  None		<b>Post Inspection Contacts:</b>	
<b>Inspector(s):</b>  Robert D. Zuber, P.E.	<b>Inspector's Signature:</b>  		<b>Signature Date:</b>  10/10/2017

**Inspection Topic Summary**

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

N - Air Resource Protection

N - Availability of Records

N - Backfill &amp; Grading

R - Excess Spoil and Dev. Waste

NA - Explosives

N - Fish &amp; Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

N - Roads

Y - Reclamation Success

R - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

N - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

N - Topsoil

**COMMENTS**

A partial inspection was conducted by Rob Zuber and Janet Binns of DRMS on October 3, 2017. The weather was warm and clear, and the ground was mostly dry. The NECC representative who participated in the inspection was Nick Mason.

**EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09**

Placement; Drainage Control; Surface Stabilization:

The north end of the Development Coal Waste Pile (viewed from afar) looked to be in good shape. No large rills or gullies were seen on the north side of DWDA#2.

**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 two rows of silt fence below the SAE by Pond 007A appear to be functioning well. There was no discharge from the outfall (Outfall 010 in CDPS Permit) below this SAE. No problems were seen with the other BMPs at this SAE.

Ponds 004A, 006A, and 007A were inspected. None of them were discharging, but all held significant quantities of water. No significant issues were seen with the pond spillways or embankments.

The impounded water in Pond 007A was below six rows of holes on the primary spillway. Bent vegetation indicated that there had been flow over the emergency spillway on Pond 007A (NECC staff indicated that there have been very large storms in the days before the inspection). There were no signs of problems due to this discharge; the flow appeared to be within the flow path of the spillway, and there was no sign that significant sediment had been transported out of the pond into the willows below.

Number of Partial Inspection this Fiscal Year: 3Number of Complete Inspections this Fiscal Year: 1

The water in Pond 004A (level was approximately two feet below the spillway holes) was pumped there by NECC staff to lower the water in Ponds 006A and 08. No inflows to any ponds were seen at the time of the inspection.

Some of the area above Ditch D26 (the cut slope on the hill above the ditch) may need stabilization (see photograph). This area should be closely monitored, and if the disturbed area moves further up the hill, NECC should address the problem.

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

Drainage Control; Surface Stabilization; Placement:

There is good vegetation cover on the reclaimed portion of the RDA, and no rills or gullies were seen on the face or in the side ditches. The ditch at the interface between the reclaimed (lower) and un-reclaimed segments of the RDA appears to be functioning well, and sumps near the interface are not in need of cleaning. No puddles, soft spots, or other problems were seen on the un-reclaimed portion of the RDA. The upper end of the underdrain appears to be clear and functioning.

#### REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

The area near the northwest corner of Pond 007A, which was disturbed when the pond was dredged in recent months, is still mostly bare and may require re-seeding.

#### SUPPORT FACILITIES - Rule 4.04:

The hill immediately below the water tanks was observed from afar, and no erosion or other problems were seen.

### **ENFORCEMENT ACTIONS/COMPLIANCE**

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

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**PHOTOGRAPHS**



**Pond 007A**



**Bare area near northwest corner of Pond 007A**

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**Development Coal Waste Pile**



**DWDA #2 and Pond 001A**

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**Water tanks and hill above Ditch D26**

*Areas to monitor for further cutting*



**RDA – interface between reclaimed area and un-reclaimed area**

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**RDA –reclaimed area**



**RDA – un-reclaimed area**

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 1