



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

May 2, 2018

Louis Head  
New Elk Coal Company, LLC  
12250 Highway 12  
Weston, CO 81019

**Re: New Elk Mine, 2017 ARR Review**

Dear Mr. Head:

As you know, I reviewed your 2016 ARR and had some questions on that report (letter dated May 11, 2017). While I would still like a response to that ARR review letter, at this point the 2017 ARR is a higher priority for the Division. That said, some of the questions below are pertinent to your ARR's from both 2016 and 2017, especially because the 2016 ARR contains much more detail related to the acreage values.

I have previously emailed to you several questions regarding the 2016 and 2017 ARR's, but I want to provide a comprehensive list of the questions for our documentation. I say this is comprehensive, but more questions could conceivably arise as we discuss your answers to the following list.

- In the West Portal (WP) area, was only one acre of Area 3 (corehouse) seeded? What about the rest of that area?
- It is not clear if the WP garage was disturbed in 2011. Was it disturbed and then re-seeded? It is the only area in the table (within 2016 ARR) of re-vegetated areas that has a value in the "Redisturbed 2011" column and in the far right column labeled "ACRES."
- What part of the mine is not included in the "long term mining or reclamation facilities" value of 130.32 acres? (Also see next, related issue.)
- If you take the total disturbed acreage and subtract the area reclaimed, the result should be the value in long term mining or reclamation. But on your form, the math does not indicate this:  $162.98 - 20.16 = 142.98$ . The product is not 130.32 as shown on your 2016 and 2017 ARR forms.
- Do your disturbance and other numbers account for small areas for offsite wells? If not, these areas should be added.
- There is a section on the form that has acres "For the Entire Life of Mine." The four values in this section should not have the Phase III areas subtracted.



If you have any questions, please contact me at [Rob.Zuber@state.co.us](mailto:Rob.Zuber@state.co.us) or 303.866.3567 (x8113). Thank you very much for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert D. Zuber".

Robert D. Zuber, P.E.  
Environmental Protection Specialist II

