




**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**

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|--|--|
| <b>Permit Number:</b> C-1981-012<br><b>Mine Name:</b> New Elk Mine<br><b>Operator:</b> New Elk Coal Company, LLC<br><b>Operator Address:</b><br>Mr. Louis Head<br>12250 Highway 12<br>Weston, CO 81091 | <b>County:</b> Las Animas<br><b>Operation Type:</b> Underground<br><b>Permit Status:</b> Active<br><b>Ownership:</b> Private |
|  | <b>Operator Representative Present:</b><br><br>None  |
| <b>Operator Representative Signature: (Field Issuance Only)</b><br><br>  |  |

**INSPECTION INFORMATION**

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| <b>Inspection Start Date:</b> October 29, 2018<br><b>Inspection Start Time:</b> 10:00<br><b>Inspection End Date:</b> October 29, 2018<br><b>Inspection End Time:</b> 12:30 |  | <b>Inspection Type:</b> Aerial Inspection<br><b>Inspection Reason:</b> Normal I&E Program<br><b>Weather:</b> Clear |  |
| <b>Joint Inspection Agency:</b><br><br>None  |  | <b>Joint Inspection Contacts:</b><br><br>  |  |
| <b>Post Inspection Agency:</b><br><br>None   |  | <b>Post Inspection Contacts:</b><br><br>   |  |
| <b>Inspector(s):</b><br><br>Robert D. Zuber, P.E.<br><br>Harry B. Ranney   | <b>Inspector's Signature:</b><br><br> |  | <b>Signature Date:</b><br><br>10/29/2018 |

**Inspection Topic Summary**

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

|                                    |                                    |
|------------------------------------|------------------------------------|
| N - Air Resource Protection        | R - Roads                          |
| N - Availability of Records        | N - Reclamation Success            |
| N - Backfill & Grading             | N - Revegetation                   |
| R - Excess Spoil and Dev. Waste    | R - Subsidence                     |
| NA - Explosives                    | N - Slides and Other Damage        |
| N - Fish & Wildlife                | R - Support Facilities On-site     |
| R - Hydrologic Balance             | N - Signs and Markers              |
| N - Gen. Compliance With Mine Plan | N - Support Facilities Not On-site |
| N - Other                          | R - Special Categories Of Mining   |
| R - Processing Waste               | R - Topsoil                        |

**COMMENTS**

The New Elk Mine was photographed from an airplane by Harry Ranney of DRMS on October 25, 2018. The emphasis of the photos was the area east of the entrance road, including the RDA, the main facilities area, and ponds. These photos were reviewed by Rob Zuber of DRMS on October 29, 2018. The weather was clear.

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

Placement; Drainage Control; Surface Stabilization:

The overall shape of the DWDA#2 looks good, but there are many rills on the sides of this pile. The sump below this pile looks to be functioning well to capture the sediment from the rills.

**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:

No problems with any ditches around the site were identified. In particular, no erosion was seen in the area below the end of ditch D55 (east of the upper RDA), and no erosion was seen along Ditch D26, below the water tanks.

The following ponds were inspected: Pond 001A, Pond 006A, Pond 007A, and Pond 08. All of the ponds were holding water, but the water levels in all ponds looked to be well below their spillways. No issues were identified with any embankments or spillways.

Containment Area 5 was holding a significant quantity of water, but there was no sign of discharge toward State Highway 12. Containment Areas 3 and 4 were empty (or close to empty). No problems were detected with these structures.

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 1

The following SAEs were inspected: the one south of Pond 007A, the one across the highway from Pond 08, the two east of the RDA, and the one approximately one quarter mile east of Pond 08. No issues were identified with these areas.

An inspection of the banks along the Middle Fork of the Purgatoire River did not indicate that the New Elk Mine has recently caused erosion, sediment loading, or other significant problems to this receiving water.

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

Drainage Control; Surface Stabilization; Placement:

No erosion was seen on the face of the lower RDA (reclaimed portion). The ditch and sumps between the upper RDA and lower RDA appear to be functioning well. No problems were seen with the upper (un-reclaimed) portion of the RDA, but many piles of material need to be spread soon to prevent ponding on the RDA.

#### 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):

No issues with roads were identified. The berm and fill next to the road to the RDA appears stable.

#### SUBSIDENCE – Rule 4.20:

No signs of subsidence-related damage were seen within the permit boundary.

#### SUPPORT FACILITIES - Rule 4.04:

No problems were seen with any of the facility areas. Particular attention was paid to the following:

- The hill below the water tanks
- The coal storage areas
- The retaining wall by the Bates Portals.

#### SPECIAL CATEGORIES OF MINING – Rules 4.22 through 4.27:

No issues were identified with the alluvial valley floor across the river from Pond 006A and Pond 007A.

#### TOPSOIL – Rule 4.06

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

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No issues were identified with Topsoil Stockpile #2; the ring ditch appears to be functioning well.

### **ENFORCEMENT ACTIONS/COMPLIANCE**

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

### **PHOTOGRAPHS**

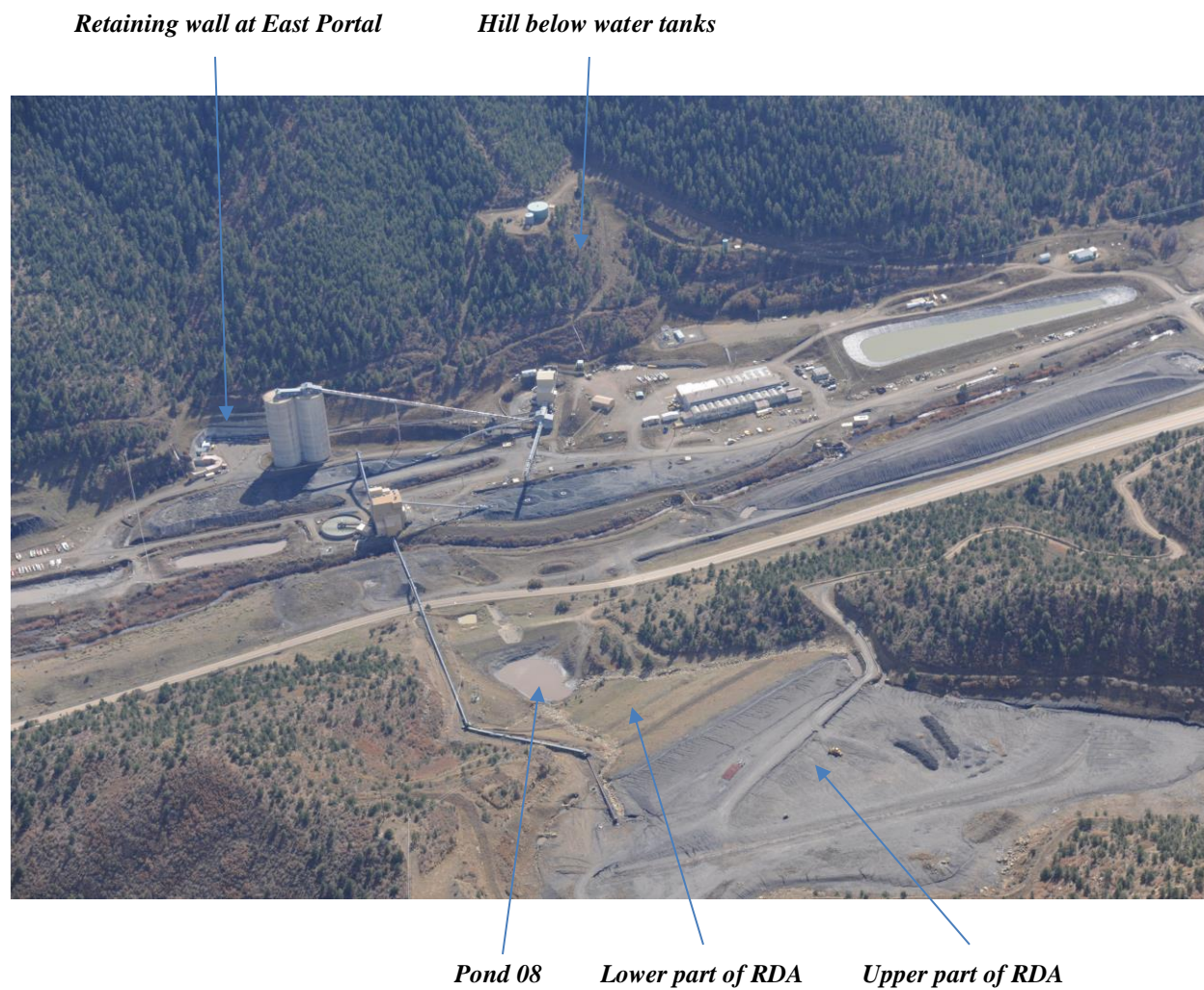


*Pond 001A*

*DWDA#2*

Number of Partial Inspection this Fiscal Year: 3

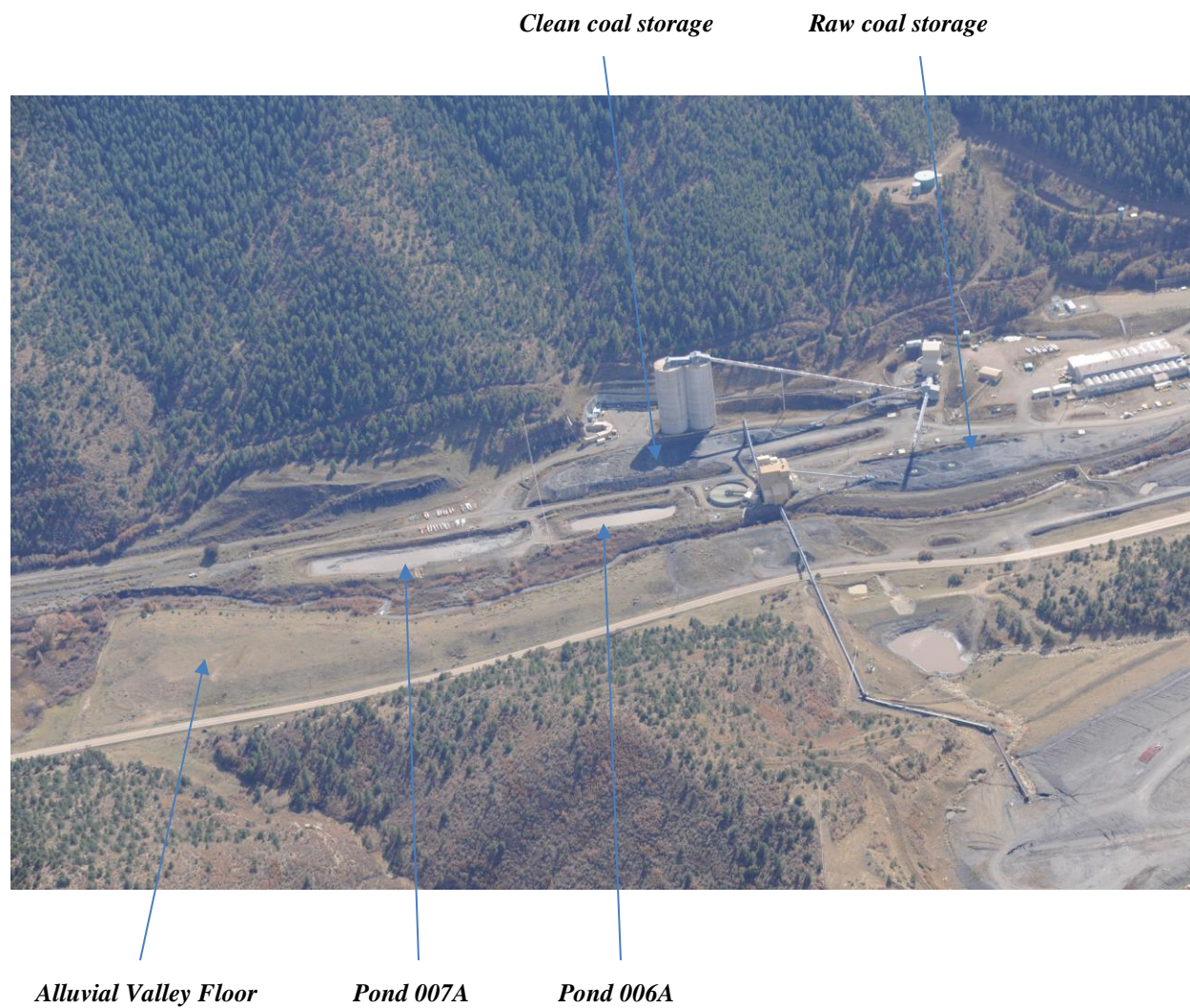
Number of Complete Inspections this Fiscal Year: 1



Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 1





Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 1