




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

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: December 11, 2018 Inspection Start Time: 14:00 Inspection End Date: December 12, 2018 Inspection End Time: 08:30		Inspection Type: Coal Partial 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): Robert D. Zuber, P.E.	Inspector's Signature: 		Signature Date: 12/14/2018

Inspection Topic Summary

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

Y - Air Resource Protection

N - Availability of Records

Y - Backfill & Grading

R - Excess Spoil and Dev. Waste

NA - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

R - Roads

Y - Reclamation Success

Y - Revegetation

Y - Subsidence

Y - Slides and Other Damage

R - Support Facilities On-site

Y - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

Y - Topsoil

COMMENTS

A partial inspection was conducted by Rob Zuber of DRMS on December 11 and 12, 2018. The NECC representative who participated in the entire field inspection was Vince Massarotti. Nick Mason participated on the 11th only, due to his engineering duties. The weather was clear and seasonably warm. The ground contained considerable snow on north-facing slopes.

EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09

Placement; Drainage Control; Surface Stabilization:

Erosion on DWDA#2 persists. The sump below DWDA#2 did not need immediate maintenance.

No rills were seen on the Development Coal Waste Pile.

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 surface casing of well NE-1-10 was inspected, and no problems were identified. The well was locked shut. No problems were seen with PAW-9 either.

The Middle Fork of the Purgatoire River was inspected, and no eroding banks or signs of pollutant loading from the New Elk Mine were seen. Particular areas that were inspected include the main entrance road crossing, the stretch near DWDA#2 and the raw coal storage area, and below Pond 007A.

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

Ponds 001A, 004A, 006A, 007A, and 08 were inspected, and the following observations were made:

- None of them were discharging, but all held at least a small amount of water/snow/ice.
- The impounded water in Pond 08 was measured to be 20 feet below the emergency spillway.
- The impounded water in Pond 007A was measured to be 3.5 feet below the lowest weep hole of the primary spillway.
- No water was seen flowing through the pipe and pump systems on site. Vince Massarotti indicated that there was ice in the hose between Pond 08 and the other ponds.
- The Pond 001A liner was partially visible, and no tears or other problems were seen.
- No significant issues were seen with the embankments or spillways of any ponds, although the top of the Pond 08 dam lacks vegetation.

The following was observed regarding SAEs:

- The SAE near the main mine entrance appeared to be in very good condition.
- Within the SAE by Pond 007A, BMPs appear to be functioning. There was no discharge from this outfall.
- No problems were seen with the SAE east of DWDA#2, and the riprap below this area is stable.
- No problems were seen with the SAEs above and to the east of the RDA.

Containment Area 5 was holding water. This structure should likely be cleaned in the near future.

No problems with ditches or culverts were identified. The following particular observations were made:

- Ditches D10 and D10A were in good shape.
- Culvert C6 was clear.
- Culvert C41 is clear at the upper end. (The lower end was not inspected.)
- The hillside above Ditch C26 (below the water tanks) appeared stable.

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

Drainage Control; Surface Stabilization; Placement:

No erosion was seen on the reclaimed portion of the RDA. The ditch between the upper and lower portions of the RDA is in good shape. No ponding, erosion, or other problems with the upper portion of the RDA were seen (although NECC still needs to spread some piles of material). No signs of blowouts below the clear water ditches were seen.

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

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 road beside the conveyor to the RDA requires significant maintenance. There are very large rills in it, and the former sump near the bottom is totally full of sediment.

The fill slope below the road to the RDA appears to be alright in terms of limited sediment loading to undisturbed area below; however, it is lacking in vegetation and requires frequent monitoring (as noted previously).

SUPPORT FACILITIES - Rule 4.04:

The hill below the water tanks was observed from afar, and no erosion or other problems were seen. No problems were seen with any facilities, although the inspection did not focus on these areas.

ENFORCEMENT ACTIONS/COMPLIANCE

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

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

PHOTOGRAPHS



Casing for Well NE-1-10



Portion of Pond 08 and hillside above it

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Ditch D10 and portion of SAE



Pond 001A

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



RDA – ditch between reclaimed area and upper area (left side of photo)



Lower (reclaimed) portion of RDA

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Eroding road next to conveyor



Eroding road next to conveyor with non-functioning sediment trap

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



RDA – upper portion



Road to RDA

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2