



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

1313 Sherman Street, Room 215
Denver, CO 80203

February 27, 2019

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

Re: New Elk Mine, Preliminary review of 2018 ARR

Dear Mr. Head:

I began reviewing the 2018 ARR for the New Elk Mine. I identified significant errors on the map for the East Portal, and before I resume my review I wanted to bring these to your attention and ask that your staff rectify these (and any similar errors that I have not yet identified) as soon as possible. These errors make the ARR review difficult. Here are some examples:

- The polygons for some disturbance areas are not shown. These include, but are not limited to, areas 38 (Pond 08 and adjacent area) and 41 (the RDA).
- On the map, area 35 encompasses the SAE east of DWDA#2. In the table, however, this parcel is listed as Containment RDA-SE.
- In the table, parcel 37 is listed as Containment RDA-SW, but this appears to be wrong. It should likely be Containment RDA-SE.
- Around the SAE approximately 0.3 miles east of Pond 08 the green polygon is incomplete. Also, should this area have a parcel number on the map (and pink polygon) and be included in the table of disturbance parcels?

I have an additional question. The green line around all of the disturbed areas is labeled as "Surface Disturbance." Please let me know if this is the "Approved Surface Disturbance" or if it is a rough outline of the actual disturbance. There are several non-disturbed polygons within this green polygon.

Finally, I suggest that your staff use a different color for berms. Currently berms are the same color as the outlines of disturbance polygons (your legend refers to these as "Map Code" polygons).

If you have any questions, please do not hesitate to contact me at Rob.Zuber@state.co.us or 303.866.3567 (x8113). Thank you very much for your attention to this matter.

Sincerely,

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

