

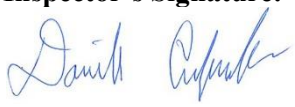


COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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: Nick Mason & Vince Massarotti
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: May 20, 2020 Inspection Start Time: 09:00 Inspection End Date: May 20, 2020 Inspection End Time: 12:00		Inspection Type: Coal Complete 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): Daniel Cunningham	Inspector's Signature: 		Signature Date: May 22, 2020

Inspection Topic Summary

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

N - Air Resource Protection

Y - Availability of Records

N - Backfill & Grading

Y - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

Y - Hydrologic Balance

N - Gen. Compliance With Mine Plan

N - Other

Y - Processing Waste

Y - Roads

N - Reclamation Success

Y - Revegetation

N - Subsidence

N - Slides and Other Damage

Y - Support Facilities On-site

Y - Signs and Markers

Y - Support Facilities Not On-site

N - Special Categories Of Mining

Y - Topsoil

COMMENTS

A complete inspection was conducted by Daniel Cunningham of DRMS on May 20, 2020. The weather was warm and clear.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

See records check sheet at the end of the report.

EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09

Placement; Drainage Control; Surface Stabilization:

No major erosional issues or other problems noted on the 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:

Ponds 001A, 004A, 006A, 007A and 008A were inspected. Only pond 001A and 007A held water, however neither were discharging at the time of the inspection. No issues noted with embankments or spillways. No issues noted with the containment areas.

Culvert 81 had been recently cleaned of sediment. The Previously noted blockage of Culvert 39 has been cleared.

No problems noted with ditches.

Stream buffer signs were noted along the Purgatoire River. No erosional issues noted or signs of pollutant noted in

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the river.

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

Drainage Control; Surface Stabilization; Placement:

The erosional issues noted on previous inspections of the RDA have been corrected and stabilized with rip rap. No other issues noted at the time of the inspection.

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 major issues were noted during the inspection, However, there are some areas along the RDA road that are beginning to show erosion and may need improvement soon.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

Vince was actively treating weeds before the inspection and during the inspection several dead weeds were seen throughout the permit.

SUPPORT FACILITIES - Rule 4.04:

The hill below the water tanks was observed from afar, and no erosion or other problems were seen. The retaining wall by the Bates Portals appears stable. The chemical storage area west of the soil storage area was inspected from a distance and no issues were noted.

SIGNS AND MARKERS – Rule 4.02:

Permit boundary markers, stream buffer signs, topsoil signs and several other signs were noted throughout the permit.

OFFSITE SUPPORT FACILITIES - Rule 4.04, 4.28:

No issues noted at the Jansen loadout.

TOPSOIL – Rule 4.06

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

Topsoil storage was stable and no erosional issues noted.

DOCUMENTS RECEIVED

OTHER (SPECIFY)

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ENFORCEMENT ACTIONS/COMPLIANCE

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

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PHOTOGRAPH



Photo 1: Culvert 81



Photo 2: Corrected erosional issues

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Photo 3: Pond 08



Photo 4: Weed Control

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Photo 5: Stream Buffer Sign



Photo 6: DWDA #2

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Expires 2/28/24
Permit Application w/Revisions	Yes
Findings Document	RN7 Nov. 2019
Insurance Certificate	Exp. April 2024
Bond Document	\$4,133,137.02
Phased Bond Release Documents/Findings	SL2, Findings 11/15/06
Air Emission Permits	84LA074F-1 84LA074F-2
County Special Use Permits	See Letter in Exhibit 5
UG Mining Landowner Notification	Feb 2012
Subsidence Monitoring Reports	n/a
Subsidence Monitoring Data	n/a
Rill & Gully Survey	2018 ARR
Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	Feb 2020
Midterm Review Documents	MT7, Aug. 2016
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Through March 2020
Transfers/Succession of Operator	To NECC, Executed 2/2/2006
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	Nov. 2018 \$4,166,596,.08
CERTIFICATIONS	
Pond Certifications	Yes
Annual Certifications for Impoundments	Dec. 2019
Fill Certifications for Excess Spoil or Underground Development Waste	
• Quarterly Inspections	March 5, 2020
• Compaction Testing	n/a
• Final Certification	n/a
Coal Processing Waste Banks	March 5, 2020 Compaction: 3/7/2016
Haul Road Certifications	4/30/2014
Access Road Certifications	7/25/2012

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NPDES Permit	CDPS C00906 (exp. May 2020)
NPDES Records	Through March 2020
Stormwater Management Plan	Jan 2016
SPCC Plan	April 2012
MSHA Pond Inspections	Pond 08, December 2019
State Engineer's Pond Inspection	n/a
Quarterly Pond Inspections	Through Q1 2020
Annual Hydrology Reports	
• Ground Water Monitoring	Thru May 2020
• Surface Water Monitoring	Thru May 2020
• Spring & Seep Monitoring	n/a
• Mine Water Discharge Monitoring	n/a
• Mine Inflow Study	2014 AHR (old study)
• Water Consumption Records	Thru 4/15/2020
Well Permits	Yes

BLASTING RECORDS

Blasting Publication	n/a
Blasting Records (3 years)	n/a
ATFE Explosives Permit	n/a
Blasting Variances	n/a
Pre-Blast Surveys	n/a

ADDITIONAL RECORDS (specify)

COMMENTS:

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