

indicated that approximately 50 feet of water is available in that area of the mine pool for return to the prep plant. Initial makeup water will be the water already in the Prep Plant obtained from the Purgatoire River from the Applicant's existing water rights. The method to be used to dewater the refuse fines is to pump the water back to the Prep Plant from NEW-4.

Hydrologic impacts and monitoring are described under Section 2.05.6.

2.05.4 Reclamation Plan

Timetable

Operations at the New Elk Mine facility are ongoing since the New Elk Mine has been reopened. The exact timetable for reclamation activities is dependent on coal production and marketing, which is impossible to predict.

Many of the obsolete facilities at the West Portal have been reclaimed. The East Portal facilities are in the process of being upgraded in anticipation of renewed coal production from the New Elk Mine at both the East Portal and Bates Portal.

The RDA is the only facility at the New Elk Mine requiring contemporaneous reclamation as respective benches are completed. Seeding and mulching is required by the first planting season after bench completion and topsoiling. Should the RDA require reclamation prior to reaching its full design capacity, an alternative final reclamation plan will be developed and submitted as a technical revision. The Division expressed concern over an alternative final reclamation plan in June of 2020. The approval of TR-75 was approved to address the alternative final reclamation plan.

Drainage on the upper bench is designed to direct drainage away from the front slope and toward the back and side perimeter ditches, eventually channeling the water to the armored down-drains and to pond 8. Slopes will be minimized while positive drainage maintained. This will significantly reduce erosion and sediment accumulation in Pond 8 while preparing the RDA for final cover and topsoil.

A listing of all facilities and structures to be ultimately removed at the New Elk Mine can be found in Exhibit 28, Bond Calculations. The operator plans to salvage all iron and steel scrap, which is of value within these structures and remove them from the mine site. Materials which can not be salvaged such as concrete and rebar, insulation, and non-recyclable steel and metal siding will be disposed of on-site within the mine disturbance area. A minor amount of structural wood products may also be included.

Las Animas County officials referred the operator to the Colorado Department of Public Health and Environment (CDPH&E). Solid waste disposal is regulated by CDPH&E and requires a certificate of designation for each solid waste disposal site. However the CDPH&E web-site stated, and CDPH&E personnel confirmed, that for any person or other non-governmental unit disposing of one's own waste