



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

March 10, 2021

Mr. Louis Head
New Elk Coal Company, LLC.
12250 Highway 12
Weston, Co 81091

RE: Lorencito Canyon, DRMS Permit No. C-1996-084, 2020 Annual Reclamation Report Review

Dear Mr. Head,

The Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received the 2021 annual reclamation report ("ARR") for the above referenced mine site on February 24, 2021. The report was reviewed by DRMS for compliance with Rule 2.04.13. Items that will need to be addressed by New Elk Coal Company ("NECC") are shown below in **bold** text. DRMS finds the following:

- (1) The report was received on February 24, 2021, one day before the February 25th deadline approved in the permit as allowed by Rule 2.04.13(1).
- (2) The name and address of the permittee as well as the permit number for the site was included on the annual reclamation report form in accordance with Rule 2.04.13(1)(a).
- (3) 4.01 acres were reported to have been disturbed during the report year. Rule 2.04.13(1)(b) is complied with.
- (4) 4.01 were reported to have been backfilled and graded during the report year. Rule 2.04.13(1)(c) is complied with.
 - **The cumulative acres Backfilled and Graded was reported as 156.51 acres. DRMS believes this is a typo and should be 126.51 acres. Please confirm.**
- (5) 4.01 were reported to have been topsoiled during this report year.
- (6) No acres were reported to have been seeded during this report year. Rule 2.04.13(1)(e) is complied with.
- (7) 4.01 were reported to have been seeded in the last 10 years. Rule 2.04.13(1)(f) is complied with.

Additional Annual Report Review Adequacy Items:

- a. **The surface disturbance polygon around pond 008 goes outside the permit boundary. Please provide an explanation for this and/or submit a Technical Revision for an incidental permit boundary change to encompass this disturbance.**



New Elk Coal Company

March 12, 2021

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This concludes the Division's review of the 2020 annual report. The Division requests that NECC address the adequacy review items noted above by **May 7, 2021**. If you have any questions, please contact me at Daniel.cunningham@state.co.us or (303) 866-3567 ext. 8126.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel Cunningham".

Daniel Cunningham

Environmental Protection Specialist
Division of Reclamation, Mining and Safety