



**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: New Elk Mine, DRMS Permit No. C-1981-012, 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 25<sup>th</sup> 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) No acres were reported to have been disturbed during the report year. Rule 2.04.13(1)(b) is complied with.
- (4) No acres were reported to have been backfilled and graded during the report year. Rule 2.04.13(1)(c) is complied with.
- (5) No acres 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) No acres 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. Does the disturbance and other numbers account for the small areas for offsite wells? If, not these areas need to be included.
- b. Were any of the areas proposed in TR-75 disturbed during 2020? If so that area needs to be included in the calculations.



Seneca Property, LLC.

June 12, 2020

Page 2 of 2

This concludes the Division's review of the 2020 annual report. The Division requests that NECC address the adequacy review items noted above by **July 6, 2021**. If you have any questions, please contact me at [Daniel.cunningham@state.co.us](mailto: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