

STATE OF  
COLORADO

Ebert - DNR, Jared &lt;jared.ebert@state.co.us&gt;

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**Lorencito Canyon Mine, C-1996-084, 2Q 2021 Fill Inspection Report Review**

1 message

**Ebert - DNR, Jared** <jared.ebert@state.co.us>

Tue, Aug 3, 2021 at 2:01 PM

To: larrycookconsulting@yahoo.com

Cc: Nick Mason &lt;nmason@newelkcoal.com&gt;, Daniel Cunningham - DNR &lt;daniel.cunningham@state.co.us&gt;

Hello Mr. Cook,

Please see the attached review letter of the 2nd Quarter fill inspection report for the above referenced mine site. There was one issue that will need to be addressed by August 17, 2021, please see the report for details.

Thank you,

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Jared Ebert

Senior Environmental Protection Specialist

**\*I am working remotely, please feel free to call my cell at (720) 413-6466****COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

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[jared.ebert@state.co.us](mailto:jared.ebert@state.co.us) | <https://drms.colorado.gov>**C1996084\_2Q\_FillReportReview\_3Aug2021.pdf**

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

August 3, 2021

New Elk Coal Company, LLC.  
Attn: Larry Cook  
12250 Highway 12  
Weston, Colorado 81091

**RE: Lorencito Canyon Mine, C-1996-084**  
**2<sup>nd</sup> Quarter 2021 – Lorencito Canyon Mine Quarterly Fill Inspection Report**

Dear Mr. Cook,

The Colorado Division of Reclamation, Mining, and Safety (CDRMS) has reviewed and found the above referenced report to be in general compliance with the following CDRMS regulations with one exception noted below:

- 4.09.1(11)(a) *Inspected at least quarterly by a reregistered engineer or other qualified professional specialist in construction of earth and rockfill embankments under the direction of a qualified engineer throughout the construction and critical periods.*  
Fills 7, 8 and 9 were inspected. Each of these fills are in final reclamation and no additional fill material is being placed on these facilities. The certified report covers the second quarter monitoring period from April 1 to June 30 of 2021. The inspections were conducted by Vince Massarotti on June 30, 2021 according to the report. A certified engineer stamped the report on July 2, 2021.
- 4.09.1(11)(b) *Provide to the Division a certified report within 2 weeks after each inspection that the fill has been constructed as specified in the design approved by the Division. The report shall include a description of any appearances of instability, structural weakness, and other hazardous conditions.*  
The inspection was conducted on June 30, 2021. The Division received the report on July 6, 2021. No instability, structural weakness, or other hazardous conditions were noted during this inspection of the fills. One issue was noted:

**The engineer certification only indicates certification of Fill 9 even though Fill 7 and Fill 8 were also inspected. Please provide certifications for Fills 7 and 8 in accordance with Rule 4.09.1(11)(b). Please provide a response to this review by August 17, 2021.**

If you have any questions feel free to contact Daniel Cunningham at (303) 866-3567, extension 8126.

Sincerely,

Jared Ebert  
Senior Environmental Protection Specialist

EC: Nick Mason, NECC  
Daniel Cunningham, DRMS

