STATE OF COLORADO

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

MR128

nmason@newelkcoal.com <nmason@newelkcoal.com> Wed, Nov 3, 2021 at 1:54 PM
To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>

Jared,

Attached is the MR-128 Adequacy Response for New Elk. Please call or email with any remarks.

[Quoted text hidden]

3 attachments

Map 3_MR-128-Mine Plan_Signed.pdf
473K

MR-128 Response Letter.pdf
704K

Pages 107 and 108.pdf
50K

NEW ELK COAL
COMPANY LLC

November 3, 2021

Jared Ebert
Division of Reclamation, Mining and Safety
1313 Sherman St., Rm. 215
Denver, Colorado 80203

Re: New Elk Mine
Permit C-1981-012
MR-128

Dear Mr. Ebert

Below are responses for the MR-128 Adequacy Review:
Rule 2.05.2 – Operations Plan – Estimated Area for Life of Operation:

1. Map 3 has been revised to show the currently approved permit boundary.

2. Map 3 has been revised to show the mine plan for the current five-year permit term.

3. Map 3 has been revised to show no mining outside the approved permit boundary.

4. Map 3 has been certified by Steve Miller, a professional engineer in the state of Colorado.

Rule 2.05.2 – Operations Plan – Estimated Area for Life of Operation:

5. Site PRS-4 is still the same monitoring location described on page 108 of Section 2.05 of the PAP; however, CDPHE site NE-080 has been removed from the CDPHE permit and replaced with outfalls 011 and 012. Page 108 of Section 2.05 of the PAP has been revised to no longer associate PRS-4 with NE-080.

6. Pages 107 and 108 of section 2.05 have been revised to discuss NE 010, NE 011, and NE 012 in the permit narrative.

Please call or email if there are any questions or concerns.

Sincerely,

Nicholas Mason
Engineer

New Elk Coal Company LLC: 12250 State Hwy 12, Weston, CO 81082
T: (719) 631-6140 **F:** (719) 868-2016 **E:** info@allegiancecoal.com **W:** www.allegiancecoal.com.au

pond 004. This site predominately handles runoff from the development waste pile located south of Highway 12.

NE-005: Grab sample of the discharge from the primary spillway of sediment pond 005. Pond 005 no longer exists as it was reclaimed.

NE-007: Grab sample of the discharge from the primary spillway of sediment pond No. 007 (stormwater and industrial runoff from the eastern portion of the facilities area).

NE-008: A grab sample location at the primary spillway outfall of pond 008 located below the Refuse Disposal Area (RDA).

NE-010: A grab sample location from the SAE just south of pond 007, prior to comingling with pond 007 discharge and prior to entering the Purgatoire River.

NE-011: A grab sample location of run-off from the SAE collecting water between the RDA belt and DWDA#2, prior to entering the Purgatoire River.

NE-012: A grab sample location of run-off from the SAE collecting water between the DWDA #1 and the main access road for the mine, prior to entering the Purgatoire River.

PAW-1: A sample from an alluvial well located in the Purgatoire river alluvium adjacent to PRS-1. This sample station was established to monitor water quality above the existing coal development waste pile (DWP).

PAW-1a: A sample from an alluvial well located in the Purgatoire River alluvium between the DWDA #3 located at the West Mine area, and the river. The well will be drilled and completed to the depth of the alluvium/bedrock interface. This sample station was established to monitor water quality down gradient from a new development waste disposal area, as approved under TR-65.

PAW-2: A sample from an alluvial well located adjacent to the Purgatoire River approximately 200 yards downstream of PAW-1. This sample was established to monitor waster quality down gradient from the DWP at the New Elk Mine.

PAW-3: A sample from an alluvial well located adjacent to the Purgatoire River approximately 300 yards downstream of PAW-2. In March of 1985, 500 feet of the Middle Fork of the Purgatoire River was diverted to the north to create additional room for the coal stockpile at the New Elk prep plant. As the diversion was cut through existing refuse disposal area, two alluvial wells, PAW-3 and PAW-4 were established to monitor water elevation and chemical parameters. The wells were cased with 18 inch galvanized CMP and completed in the cobble and gravel fill of the channel. Total depth of PAW-3 is approximately 20 feet from the top of the casing. The well was established in the backfilled channel during the diversion of the river. It was established to monitor the quality and water level of the area immediately upstream (west) of the diversion project.

PAW-4: A sample from an alluvial well located adjacent to the Purgatoire River approximately 100 yards downstream of PAW-3. The well was established in the backfilled channel during the diversion of the Purgatoire River. Total depth of PAW-4 is approximately 15 feet from the top of the casing. It was established to monitor the quality and quantity of water movement into the downstream (east) end of the diversion.

PAW-8: A sample from an alluvial well located below the Refuse Disposal Area. The objective of this well is to identify impacts on the alluvium of the Middle Fork of the Purgatoire from the waste pile.

PAW-9: A sample from an alluvial well located near PRS-4. The objective of this site is to assess impacts on the Middle Fork of the Purgatoire downstream of Elk facilities area.

PAW-9a: A sample from an alluvial well located down gradient of the ventilation shaft proposed with TR-64. The well will be drilled to the depth of bedrock/alluvial interface. This sample site was established to monitor water quality down gradient of the ventilation shaft.

MW-1- MW-10: The alluvium the New Shallow monitoring wells located near the site of removed underground storage tanks west of the Industrial Building. These sites are monitored to evaluate the success of remediation work.

Spring Sites: Springs in the mine area have been monitored since 1984. With liability release of the underground workings, all of these spring sites lie outside of the current permit boundary. Assessment of spring data through 1998 indicates no effects of mining on these sites and no further monitoring is proposed. Spring 19 is located east of the New Elk workings in an unnamed tributary of the Purgatoire. Additional monitoring of this site was required in the CDMG - approval of the Thickener Recycling revision (TR-34). The D1vision will be notified in writing if the plan for TR-34 is implemented and monitoring of this spring will continue.

PRS-1: A grab sample and flow station located on the Middle Fork of the Purgatoire River above the surface facilities of the New Elk Mine to act as a control station without influence of m1n1ng. This station was selected to assess stream quality and flow above mining activities.

PRS-1a: A grab sample and flow station located on the Middle Fork of the Purgatoire River above the West DWDA as proposed with TR-65. This station was established in 2012 to assess water quality and flow above mining activities in the western portion of the mine.

PRS-4: A grab sample and flow station located on the Purgatoire River below the New Elk Mine Surface Facilities, and above the confluence with North Fork. This station was established in 1993 to assess potential effects of mining on stream quality. Results from this site are periodically sent to CDPHE in NPDES reporting for site NE-080.

PRS-4a: A grab sample and flow station located on the Purgatoire River below the disturbance proposed with installation of a ventilation fan proposed with TR-65. This station was established in 2012 to assess potential effects of mining on river quality.

RDA Pond: A dip sample acquired from either the discharge or directly from the

E3150000

E3160000

N11800000

N11700000

Scale: 1"=500'

Map Grid—State Plane Zone 0503 NAD83

43-14V Zamora

13-18R Montoya
13-18V Montoya

11-19V Montoy
11-19R Monto

Blue Seam Mining

West Portal
Shaft

24-12 NEW ELK

24-15 NEW ELK

24-16 NEW ELK

19-13 GOLD

25-02 NEW ELK

25-01 NEW ELK

25-04 NEW ELK

30-5 APACHE CANYON

25-06 NEW ELK

30-05 GOLDEN EA

25-08 NEW ELK

31-4 CIRUELA CANY

Apache
Airshaft #1

25-10-2 NEW ELK

30-12 GOLDEN EAG

30-14 CIRUE

25-16 NEW ELK

25-14 NEW ELK

26-9 NEW ELK

26-12 NEW ELK

Legend

- Blue Seam Mining
- Oil and Gas Well Protection Area (no mining)
- Projected Blue Seam Mining
- Permit Boundary
- Oil and Gas Wells (COGCC)
- Highway
- 21 Section

Mine Plan Timing by Year

- 2021 Mining Area
- 2022 Mining Area
- 2023 Mining Area
- 2024 Mining Area
- Next Permit Term Mining Area

COLORADO REGISTERED
STEPHEN L. ALLEN
33573
10/30/2021
PROFESSIONAL ENGINEER

NOT FOR CONSTRUCTION

Information presented on this map has been reviewed by me and is accurate to the best of my knowledge and information.

Notes:
- 50' barriers to be left unmined adjacent to all mine properties
- 150' radius barriers to be left unmined around existing oil and gas wells
- Mine plan layout and timing subject to conditions encountered and market

10/30/2021 Date | 33573 PE# | Signature

New Elk Mine
Blue Mine Plan

DESIGNED BY: * DRAWN BY: NM	DATE: 10/27/2021 SCALE: AS SHOWN
	MR 128 Map 3

JOB NO.: 723-01 ACAD2010 FILE: [723-01 New Elk Base Map_Permitting_TR-63.dwg Layout: Map 1_D Size TR-63 Inc

TR-63 Inc Bound S Mains