



STATE OF
COLORADO

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

New Elk Mine, C-1981-012, 4Q 2021 Waste Pile Inspection Report

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

Tue, Nov 30, 2021 at 2:42 PM

To: Nick Mason <nmason@newelkcoal.com>

Nick,

Please see the attached review letter for the 4Q waste pile inspection report.

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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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1313 Sherman St., Room 215, Denver, CO 80203

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4Q2021_NewElkMine_C1981012_WastePileReview_30Nov2021.pdf

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COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 30, 2021

New Elk Coal Company
Attn: Mark Gray
12250 Highway 12
Weston, Colorado 81091

RE: New Elk Mine, C-1981-012
Fourth Quarter 2021, Coal Waste Pile(s) Inspection Report Review

Dear Mr. Cook:

The Colorado Division of Reclamation, Mining, and Safety (DRMS or Division) received a quarterly inspection report for the three coal waste banks at the New Elk Mine on November 19, 2021. The report covers the fourth quarter, 2021 monitoring period. The site was inspected on November 8, 2021. The report appears to be in compliance with DRMS Regulations 4.09.1(11) and 4.10.2(2), unless noted below.

Development Waste Disposal Area No. 1 (DWDA No. 1) was inspected. This feature was reclaimed in 2004, and waste was not disposed on this site during this quarter. No issues were noted.

Development Waste Disposal Area No. 2 (DWDA No. 2) was inspected. According to the report this pile was idle at the time of the inspection. Also, according to the report refuse placement has been completed at the DWDA No. 2 but the west end of the pile is used to dry sediment before it is hauled to the Refuse Disposal Area. The report indicates compaction tests were last completed in 2012 and that no refuse placement has occurred since May of 2012. The rills on the pile were noted as being monitored and that sediment loading was not occurring. The sump at the end of the area was noted as being cleaned out.

The Refuse Disposal Area (RDA) was inspected. According to the report the mine has only intermittently transported waste from temporary storage piles to the RDA. The Division notes that New Elk Coal Company, LLC. (NECC) has begun production again and therefore has placed refuse on the pile since re-initiation of production in May of 2021. The report indicates the facility was idle at the time of the inspection. The reports indicates testing has been conducted demonstrating the operation has achieved an excess of 90% compaction. NECC included a report from CTL Thompson Incorporated that showed two compaction test occurred on October 18, 2021 and that both test comply with the 90% minimum compaction specifications. According to the Permit Application Package (PAP), compaction tests will be taken frequently and at locations of not less than one per every other layer at random locations across the pile. Three monitoring wells were monitored for water levels.

The inspection was conducted by Vince Massarotti under the direction of Steve Miller a registered professional engineer licensed in the State of Colorado. The inspection report was stamped by Mr. Miller and dated November 19, 2021.



If you have any questions feel free to contact me at (303) 866-3567, extension 8120.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Ebert", with a stylized flourish at the end.

Jared Ebert
Senior Environmental Protection Specialist

EC: Nick Mason, NECC