



STATE OF
COLORADO

Drinkard - DNR, Connor <connor.drinkard@state.co.us>

New Elk Mine C-1981-012; First Quarter 2022 Coal Waste Bank Report Review

1 message

Drinkard - DNR, Connor <connor.drinkard@state.co.us>

Thu, Apr 28, 2022 at 12:44 PM

To: nmason@newelkcoal.com

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

Hello Nick,

Please see the attached First Quarter 2022 Coal Waste Bank Report review letter and let me know if you have any questions.

Best regards,

--

Connor Drinkard

Environmental Protection Specialist Intern



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

P 720.836.0967 | F 303.832.8106

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

connor.drinkard@state.co.us | <https://drms.colorado.gov>



1Q2022_WasteBankInspReview_C1981012_28April2022.pdf

541K



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

April 28, 2022

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

Re: New Elk Mine; C-1981-012
First Quarter 2022 Coal Waste Bank Inspection Report Review

Dear Mr. Gray:

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 April 8, 2022. The report covers the first quarter, 2022 monitoring period. The site was inspected on March 31, 2022. 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 closed and reclaimed in 2004. The area received Phase 1 bond release in 2005. No issues were noted.

Development Waste Disposal Area No. 2 (DWDA No. 2) was inspected. According to the report refuse placement has been completed and the operator has trucked excess waste to the RDA so that finished slopes can be brought to approved grade. The excess storage space on the west end of the pile is used as a sediment drying area. The sump on the east end of the pile was noted as being cleaned out at the time of the inspection for annual maintenance. No refuse placement has occurred since the May 2012 compaction testing that indicated approved plan compliance. Besides some rills that have not increased in size and are being monitored, no issues were noted.

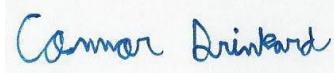
The Refuse Disposal Area (RDA) was inspected. According to the report New Elk Coal Company, LLC. (NECC) has begun production again and therefore has placed refuse on the pile since re-initiation of production in June 2021. According to the report sumps on top of the RDA have been recently cleaned. Periodically CTL-Thompson, a geotechnical engineering firm, evaluates refuse compaction. According to the report, testing has demonstrated that the operation has achieved in excess of the required 90% compaction. However, NECC did not provide documentation of compaction testing results as the report indicates. **DRMS requests that NECC provide documentation that the required level of compaction has been achieved during this monitoring period. The Division requests NECC provide these test results by May 28, 2022.** 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. No issues were noted.

The inspection was conducted by Vince Massarotti, under the direction of Mr. Stormes, a registered professional engineer licensed in the State of Colorado. The inspection report was stamped by Mr. Stormes and dated April 6, 2022.

If you have any questions feel free to contact me at connor.drinkard@state.co.us or (720) 836-0967.



Sincerely,

A handwritten signature in blue ink that reads "Connor Drinkard". The signature is written in a cursive style and is positioned above the printed name.

Connor Drinkard
Environmental Protection Specialist Intern

Ec: Nick Mason; NECC, nmason@newelkcoal.com
Jared Ebert; DRMS, jared.ebert@state.co.us