



STATE OF
COLORADO

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

New Elk Mine, C-1981-012, MR131 Adequacy Review #2

Ebert - DNR, Jared <jared.ebert@state.co.us>
To: Nick Mason <nmason@newelkcoal.com>
Cc: Brock Bowles <brock.bowles@state.co.us>

Wed, Sep 28, 2022 at 12:30 PM

Hello Nick,

Please see the enclosed adequacy review for MR131.

--

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

P 303.866.3567 ext. 8120 | F 303.832.8106 |

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

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

jared.ebert@state.co.us | <https://drms.colorado.gov/>



MR131_NewElkMine_C1981012_AdequacyReview2_28Sep2022.pdf
283K

September 28, 2022

New Elk Coal Company, LLC.
Attn: Nick Mason
12250 Highway 12
Weston, Colorado 81091

**RE: New Elk Mine, C-1981-012, Minor Revision No. 131 (MR131)
Adequacy Review #2**

Dear Mr. Mason,

The Colorado Division of Reclamation, Mining and Safety (DRMS or Division) received Minor Revision No. 131 (MR131) on August 19, 2022 from New Elk Coal Company, LLC (NECC). MR131 was deemed complete and filed on August 22, 2022. The Division issued an adequacy review letter for MR131 on August 26, 2022. NECC responded to the Division's adequacy review letter on September 28, 2022. The Division is required to issue a decision on the application by October 14, 2022. Please address the following adequacy review item:

Rule 2.10 – Maps and Plans

1. NECC provided a revised Map 3, Blue Mine Plan on September 28, 2022 with an attached letter indicating the map had been certified by Bill Stormes. The letter, not the map was stamped and signed by Mr. Bill Stormes. Rule 2.10.3(2) requires the map to be certified by a qualified registered professional engineer or professional geologist, with assistance from experts in related fields such as land surveying and landscape architecture. The Division has interpreted this regulation to mean that the physical map needs to be certified, and therefore cannot accept an attached letter as meeting this requirement. Please revise the maps accordingly to include this certification.

The Division is required to issue a decision on the application by October 14, 2022. If you need additional time to address the Division's adequacy review items, please request an extension of the decision date. If the decision date arrives and there are outstanding adequacy review items, the Division will issue a proposed decision to deny the application.

If you have any question, please do not hesitate to contact me at Jared.Ebert@state.co.us or at (303) 866-3567 extension 8120.

Sincerely,



Jared Ebert
Senior Environmental Protection Specialist

EC: Nick Mason, NECC. nmason@newelkcoal.com

