



STATE OF
COLORADO

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

New Elk Coal Company, LLC, C-1981-012, MR132, Adequacy

Thompson - DNR, Jeffrey <jeffreyc.thompson@state.co.us>

Tue, Nov 1, 2022 at 10:55 AM

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

Hi Jared,

Please find the AVS adequacy evaluation for New Elk Coal Company, LLC, MR132 and the updated AVS Request form attached. There was a recent civil violation in Alabama relating to Black Warrior Minerals Inc. occurring in August 2022. All officer, director and control information has been updated within the AVS database system. Please let me know if you have any additional questions. Thanks.

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Jeffrey C. Thompson
Corporate Compliance/Bond Specialist



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

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2 attachments



Evaluation Report MR132.pdf

93K



AVS Check Request_NewElk_C1981012_MR132_22Aug2022.docx

21K

AVS CHECK REQUEST

Permit No.:	C-1981-012	Mine Name:	New Elk Mine			Permit Action:	MR132
Applicant:	New Elk Coal Company, LLC.			MSHA ID #:	05-04461, 05-04975	Specialist:	JLE
ADEQUACY							
Request Date	8/22/2022	<i>Attach a current list of the owners and controllers for the applicant and the operators, as required by Rule 2.03.4, Identification of Interests. If applicable, attach a list of permits held by the applicant in other states, by numbers and state codes.</i>					
Date of Check	11/1/2022						
Application Adequate?	Yes x	No	AVS Check Result:	Multiple officer updates, one recent civil violation in corp hierarchy by Black Warrior Minerals Inc in Alabama.			
2ND ADEQUACY, IF APPLICABLE							
Request Date			<i>Attach any updated information.</i>				
Application Adequate?	Yes	No	AVS Check Result:				
3RD ADEQUACY, IF APPLICABLE							
Date of Check			<i>Attach any updated information.</i>				
Application Adequate?	Yes	No	AVS Check Result:				
PROPOSED DECISION – REQUEST 3-5 DAYS PRIOR							
Request Date							
Date of Check			AVS Check Result:				
PERMIT ISSUANCE – REQUEST 3-5 DAYS PRIOR							
Request Date				Ownership and Control Information Current	Yes		
Date of Check							
	Yes	No, Revision Required	AVS Check Result:				
DECISION FINAL							
Date Final:							
Date Entered in AVS:							

Permit Evaluation

1 Violations Found.

Permit Number: C1981012 SEQ:13

Permittee Name: 158034 New Elk Coal Company LLC

Date of Request: 11/1/2022 12:40:37 PM

Requestor: Jeffrey.Thompson

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

Violation Type	Violation Number	Violation Entities	Permit Number	Permitted State	Violation Status	Violation Date
1: State Civil Penalty	N22DDP004		P3987	AL	Outstanding	8/2/2022
		097961 Black Warrior Minerals Inc				

Evaluation OFT

Entities: 11

264528 Allegiance Coal Limited - ()
---144657 Gregory Bernie Mason - (Director)
---263965 Mark Gray - (Chairman of the Board)
---263965 Mark Gray - (Director)
---263965 Mark Gray - (President)
---263966 Jonathan Reynolds - (Director)
---263966 Jonathan Reynolds - (Secretary)
---263966 Jonathan Reynolds - (Treasurer)
---263967 Malcolm Carson - (Director)
---264527 Allegiance Coal USA Limited - (Subsidiary Company)
-----263965 Mark Gray - (Chief Executive Officer)
-----263965 Mark Gray - (Director)
-----263965 Mark Gray - (President)
-----263966 Jonathan Reynolds - (Director)
-----263966 Jonathan Reynolds - (Secretary)
-----263966 Jonathan Reynolds - (Treasurer)
-----264526 New Elk Holdings LLC - (Subsidiary Company)
-----158034 New Elk Coal Company LLC - (Subsidiary Company)

-----263965 Mark Gray - (Director)
-----263966 Jonathan Reynolds - (Director)
-----265981 Saravanan Sivapathasundaram - (Secretary)
-----263965 Mark Gray - (Chief Executive Officer)
-----263965 Mark Gray - (Director)
-----263965 Mark Gray - (President)
-----263966 Jonathan Reynolds - (Director)
-----263966 Jonathan Reynolds - (Secretary)
-----263966 Jonathan Reynolds - (Treasurer)
-----265985 Jonathan Romcke - (Director)
---265985 Jonathan Romcke - (Chief Executive Officer)
---265985 Jonathan Romcke - (Director)
---265986 Matthew Wall - (Director)

Narrative