



COLORADO


Division of Reclamation,
Mining and Safety

Department of Natural Resources

PERMIT INFORMATION

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|--|---|
| Permit Number: C-1996-084 Mine Name: Lorencito Canyon Mine Operator: New Elk Coal Company, LLC Operator Address: Mr. Mark Gray 12250 Highway 12 Weston, CO 81091 | County: Las Animas Operation Type: Surface Permit Status: Permanent Cessation Ownership: Private |
| | Operator Representative Present: Pete Saint |
| Operator Representative Signature: (Field Issuance Only) | |

INSPECTION INFORMATION

| | | | |
|--|---|---|--|
| Inspection Start Date: November 10, 2022 Inspection Start Time: 14:00 Inspection End Date: November 10, 2022 Inspection End Time: 16:00 | | Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Clear | |
| Joint Inspection Agency: None | | Joint Inspection Contacts: | |
| Post Inspection Agency: None | | Post Inspection Contacts: | |
| Inspector(s): Brock Bowles Amber Michels Jared Ebert | Inspector's Signature:  Signature Date: November 15, 2022 | | |

Inspection Topic Summary

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

N - Air Resource Protection

R - Availability of Records

N - Backfill & Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

N - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

N - Roads

R - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

N - Support Facilities On-site

R - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

N - Topsoil

COMMENTS

This complete inspection was conducted by Brock Bowles, Amber Michels and Jared Ebert of the Division of Reclamation, Mining and Safety (Division). Pete Saint of the New Elk Coal Company (operator) was present for the inspection. The weather was sunny, cool and the ground conditions were dry.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The records were checked in the mine office. The following items need to be updated:

-DRMS inspection reports, last report on file is Aug 23, 2022

HYDROLOGIC BALANCE - Rule 4.05

Drainage Control 4.05.1, 4.05.2, 4.05.3; Siltation Structures 4.05.5, 4.05.6; Discharge Structures 4.05.7, 4.05.10; Diversions 4.05.4; Effluent Limits 4.05.2; Ground Water Monitoring 4.05.13; Surface Water Monitoring 4.05.13; Drainage – Acid and Toxic Materials 4.05.8; Impoundments 4.05.6, 4.05.9; Stream Buffer Zones 4.05.18:

Pond 5 did not contain water. The embankment was well vegetated. The primary and emergency spillways were clear of obstructions.

Pond 6 contained water (photo 1). The primary spill way was clear of obstructions. The embankment was well vegetated and appeared to be stable.

Ponds 8 and 9 (photo 2) contained water and were not discharging. The primary and emergency spillways were clear of obstructions. The embankments appeared to be stable.

Pond 7 did not contain water.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

The fill area above pond 7 appeared stable (photo 3). A couple of small gullies were noted on the west

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Number of Complete Inspections this Fiscal Year: 2

side and these are consistent with the reporting noted in previous inspection reports. The rest of the fill was well vegetated.

The fill area above pond 8 (photo 4) was well vegetated and appeared to be stable.

The fill area above pond 9 was well vegetated and appeared to be stable.

SIGNS AND MARKERS – Rule 4.02:

The mine entrance sign was in place.

DOCUMENTS RECEIVED: None

ENFORCEMENT ACTIONS/COMPLIANCE

No enforcement actions were initiated as a result of this inspection, nor are any pending.

PHOTOGRAPHS



Photo 1 – Pond 6

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Photo 2 – Pond 9



Photo 3 – Fill area above Pond 7

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Photo 4 – Fill above Pond 8

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

| | |
|---|---|
| DRMS Permit | February 16, 2018 |
| Permit Application w/Revisions | 1* |
| Findings Document | RN4 01/11/2018 |
| Insurance Certificate | 5/3/2022 |
| Bond Document | \$927,121.00- CS |
| Phased Bond Release | SL2 |
| Documents/Findings | Findings 4/29/08 |
| Air Emission Permits | N/A |
| County Special Use Permits | #L.A.C. 01-37 |
| UG Mining Landowner Notification | N/A |
| Subsidence Monitoring Reports | N/A |
| Subsidence Monitoring Data | N/A |
| Rill & Gully Survey | 2021 ARR |
| Vegetation Monitoring Data | N/A |
| Specific Variance Approvals | N/A |
| Annual Reclamation Reports | 2021 |
| Midterm Review Documents | MT5 April 2020 |
| DRMS/OSM Inspection Reports/Enforcement Actions (3 Years) | Through August 23, 2022 |
| Transfers/Succession of Operator | SO3, Approved 2/21/2021 |
| Temporary Cessation Notification | N/A |
| Reclamation Cost Estimate | RN5 |
| CERTIFICATIONS | |
| Pond Certifications | Exhibit 15 |
| Annual Certifications for Impoundments | 3Q 2022 Pond Reports Stamped 08/10/2022 |
| Fill Certifications for Excess Spoil or Underground Development Waste | |
| • Quarterly Inspections | 3Q 2022 |
| • Compaction Testing | N/A |
| • Final Certification | N/A |
| Coal Processing Waste Banks | N/A |
| Haul Road Certifications | 2001 |
| Access Road Certifications | 2001 |

HYDROLOGIC RECORDS

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|-----------------------------------|-----------------------|
| NPDES Permit | 2* |
| NPDES Records | 3* |
| Stormwater Management Plan | PAP Exhibit 21 |
| SPCC Plan | n/a |
| MSHA Pond Inspections | n/a |
| State Engineer's Pond Inspection | n/a |
| Quarterly Pond Inspections | 3Q 2022 |
| Annual Hydrology Reports | Terminated |
| • Ground Water Monitoring | |
| • Surface Water Monitoring | |
| • Spring & Seep Monitoring | |
| • Mine Water Discharge Monitoring | |
| • Mine Inflow Study | |
| • Water Consumption Records | |
| Well Permits | 201451 Through 201476 |

BLASTING RECORDS

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|----------------------------|--|
| Blasting Publication | |
| Blasting Records (3 years) | |
| ATFE Explosives Permit | |
| Blasting Variances | |
| Pre-Blast Surveys | |

ADDITIONAL RECORDS (specify)

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COMMENTS: 1* Has not been updated with recent revisions past RN4(Jan 2018)

2*Expired December 31, 2020 – Reapplied

3* Q3 2015 DMR's TERMINATED, Annual Report Sent to WQCD by March 1, Annually, Report sent February 22, 2021 (File with CDPHE and give the Division a copy of annual report)

Yellow items need to be updated

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