



COLORADO

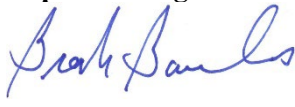
Division of Reclamation,
Mining and Safety

Department of Natural Resources

PERMIT INFORMATION

Permit Number: C-1981-012 Mine Name: New Elk Mine Operator: New Elk Coal Company, LLC Operator Address: Mr. Mark Gray 12250 Highway 12 Weston, CO 81091	County: Las Animas Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: John Terry
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: December 20, 2022 Inspection Start Time: 08:00 Inspection End Date: December 20, 2022 Inspection End Time: 11:30		Inspection Type: Coal Partial 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	Inspector's Signature: 		Signature Date: December 22, 2022

Inspection Topic Summary

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

N - Air Resource Protection

N - Availability of Records

N - Backfill & Grading

R - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

N - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

R - Roads

N - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

N - Support Facilities On-site

N - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

N - Topsoil

COMMENTS

This partial inspection was conducted by Brock Bowles of the Division of Reclamation, Mining and Safety (Division). John Terry of the New Elk Mine was present for the inspection. The weather was sunny, cold and the ground conditions were dry.

EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09

Placement; Drainage Control; Surface Stabilization:

The DWDA #2 area appeared to be stable. Ditch D14 was clear of obstructions and the sediment catch basin on the east side was clean. The inlet to culvert C13 was clear.

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:

The concrete box at the bottom of the clean water flume by the Bates Portals has been partially cleaned. The remaining debris needs to be removed (photo 1).

Culverts C34 and C46 located southeast of the clean coal storage area need to be cleaned. The willows on the outlet side of the culverts need to be removed. The willows are preventing the sediment from moving down Ditch D24 resulting in the culverts being half full of sediment (photo 2).

The S.A.E. area south of Pond 7 was in good condition. The silt fences were in good condition. The last silt fence by the flume needs to have the debris removed to ensure proper operation (photo 3).

Pond 7 contained water and was frozen. The water was contained and not discharging. The primary and emergency spillways were free and clear of obstructions. A small hole in the ice on the west end was created to pump water from the pond to the water truck. The water was being used for dust control.

Ditch 32A and the berm between the wash plant and the Purgatory River were in good condition (photo 4).

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

Pond 1 contained water and was frozen. No water was being discharged. The liner appeared to be in good condition and the embankment was well vegetated. Rodent holes were seen on the north side of the embankment (photo 5). The holes are about 1.5 inches in diameter and were seen in several groups. A treatment plan needs to be created and implemented to remove the rodents and ensure the stability of the embankment. Please address the rodent holes, potential damage and mitigation measures in the next Quarterly Sediment Pond Inspection Report.

Containment Area 3 is situated east of the coal waste conveyor. The southwest corner of the containment area, next to the conveyor belt, needs to have the slope re-established to ensure positive drainage away from the river and towards the containment area.

Containment Area 4 is situated west of the coal waste conveyor. The southeast corner of the containment area, next to the conveyor belt, needs to have the slope re-established to ensure positive drainage away from the river and towards the containment area. The silt fence under the conveyor between containment areas 3 and 4 needs to be repaired (photo 6). This area controls the sediment that falls off the last 2 rollers before the belly pan starts on the conveyor.

Two culverts convey the discharge from Pond 8, under Hwy 12 to the Purgatory River (culverts are not named on Map 13). A hole developed in the access road, south of Hwy 12, above the culverts. The soil appears to have collapsed inward forming the hole (photo 7). This should be investigated to determine the cause and if there is any damage to the culverts.

Pond 8 contained water, was frozen and not discharging.

PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11

Drainage Control; Surface Stabilization; Placement:

CTL-Thompson was onsite doing the compaction test on the Refuse Disposal Area (photo 8). The RDA was tested in 3 locations. Soil samples were taken to determine moisture content back at the lab. Test results will be published and submitted to DRMS at a later date.

Waste material was being stacked on the east side of the RDA. The trucks were not running. The dozer was spreading and stacking the material in the area of the conveyor. The top of the RDA was sloped for positive drainage. No puddles were seen.

ROADS – Rule 4.03

Construction 4.03.1(3)/4.03.2(3), Drainage 4.03.1(4)/4.03.2(4), Surfacing and Maintenance 4.03.1(5) and (6)/4.03.2(5) and (6), Reclamation 4.03.1(7)/4.03.2(7):

Coal trucks were hauling coal to the load out during the inspection. The haul road was in good condition, well maintained and watered.

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

DOCUMENTS RECEIVED: None

ENFORCEMENT ACTIONS/COMPLIANCE

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

PHOTOGRAPHS



Photo 1 – Clean water diversion box needs to be cleaned

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Photo 2 – Willows need to be removed and culverts cleaned



Photo 3 – Debris needs to be removed from sediment trap

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Photo 4 – Berm between Ditch 32A and Purgatory River



Photo 5 – Rodent holes on the embankment of Pond 1

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Photo 6 – Silt fence under conveyor that needs to be repaired



Photo 7 – Hole in access road over the Pond 8 discharge culverts

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Photo 8 – CTL-Thompson compaction testing on RDA

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2