



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

January 4, 2023

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

Re: Lorencito Canyon Mine; C-1996-084
Fourth Quarter 2022 Pond Inspection Report Review

Dear Mr. Gray:

The Colorado Division of Reclamation, Mining, and Safety (Division) has reviewed the above referenced report. This report appears to be in compliance with Rule 4.05.9 (14) and (17). The report included inspection report forms for each of the ponds inspected.

The inspection was conducted by Vince Massarotti on December 11, 2022 and the report was stamped by Bill Stormes a Colorado Licensed Professional Engineer on December 20, 2022. No appearances of structural weaknesses or hazardous conditions were noted. In accordance with Rule 4.05.9(17), please retain a copy of the reports at or near the mine site.

It was noted that on the certification page of the report, there is the following statement, "Inspections completed in compliance with Rule 4.09.1(11)(b) must be submitted to the Division within two weeks of completion." This rule pertains to reports filed regarding excess spoil and does not apply to these pond inspection reports required by Rule 4.05.9(17), please revise this in future reports

If you have any questions feel free to contact me at brock.bowles@state.co.us or (720) 774-0040.

Sincerely,

Brock Bowles
Environmental Protection Specialist

Ec: Nick Mason; NECC, nmason@newelkcoal.com

