



April 10, 2023

Mr. Brock Bowles  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Best Management Practices to Prevent Coal Dust from Blowing Beyond Raw Coal Stockpile

Dear Mr. Bowles,

In response to the New Elk Inspection Report received on March 13, 2023, New Elk Coal Company plans on completing the following:

- Using a vacuum truck and other means to remove fines from both sides and the entirety of the stream buffer zone without damaging existing vegetation, all areas that coal fines are removed from will be hydro-seeded
- Cleaning ditch D32 and culvert C64
- Reestablishing the berm up to and under the coal refuse conveyor belt and ensure proper water flow to ditch D32A
- Clean Culverts C34 and C46 and remove willows in ditch D24
- Clean sumps along ditch D18 and D18B up to the water tank
- Properly store or remove chemical storage tubs that have been degraded or damaged

New Elk Coal Company plans on implementing the below described plan in regards to best management practices to prevent coal dust from blowing beyond the raw coal stockpile at the New Elk mine site.

NECC will take the following actions:

- NECC replaced the snorkel atop the raw coal stacker belt on April 2, 2023 to control dust and fines and not allow for material to be blown away by the wind before landing on the raw coal pile
- NECC has made a diligent effort to add more water to the head of the raw coal stacker belt when the belt is in use. The added water helps keep the fine coal from blowing away
- NECC also plans to place a silt fence along the top of the berm from the RDA conveyor west to the raw coal stockpile to help keep any dust from entering the stream buffer zone

Please reach out with any questions in regarding this plan.

Sincerely,

Nick Mason  
Mine Engineer