


**COLORADO**Division of Reclamation,
Mining and Safety

Department of Natural Resources

PERMIT INFORMATION

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| 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: Nick Mason |
| Operator Representative Signature: (Field Issuance Only) | |

INSPECTION INFORMATION

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| Inspection Start Date: May 9, 2023 Inspection Start Time: 08:00 Inspection End Date: May 9, 2023 Inspection End Time: 12:00 | | 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: May 16, 2023 |

Inspection Topic Summary

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

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|------------------------------------|------------------------------------|
| N - Air Resource Protection | N - Roads |
| N - Availability of Records | R - Reclamation Success |
| N - Backfill & Grading | N - Revegetation |
| N - Excess Spoil and Dev. Waste | N - Subsidence |
| N - Explosives | N - Slides and Other Damage |
| N - Fish & Wildlife | N - Support Facilities On-site |
| R - Hydrologic Balance | R - Signs and Markers |
| R - Gen. Compliance With Mine Plan | N - Support Facilities Not On-site |
| N - Other | N - Special Categories Of Mining |
| N - Processing Waste | R - Topsoil |

COMMENTS

This partial inspection was conducted by Brock Bowles of the Division of Reclamation, Mining and Safety (Division). Nick Mason of the New Elk Mine was present for the inspection. The weather was sunny, warm, a light breeze and the ground conditions were dry.

The main purpose of this inspection was to compare the maps submitted with the Annual Reclamation Report with the current ground conditions. The mine was walked from west to east and each polygon on the ARR map was examined to determine if it was consistent with the map description. Nick Mason will submit an updated ARR map with the conclusions determined from this inspection.

On May 8, about 80 staff members were laid off as the mine entered into a care and maintenance operations schedule.

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:

Containment area 1 was well vegetated with grasses and willows (photo 1). The embankment appeared to be stable. The area east of the containment pond will need to be reclaimed in order to qualify for bond release. Containment Area 2 was well vegetated with grasses and did not contain water. The embankment appeared to be stable. The area between containment 2 and the fan will have to be re-contoured to address permanent drainage issues before this area can qualify for final bond release.

GENERAL MINE PLAN COMPLIANCE:

The polygons shown on the ARR map that are describing an active mining facility will be changed and labeled as active mining on the new map.

Number of Partial Inspection this Fiscal Year: 8

Number of Complete Inspections this Fiscal Year: 3

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

The vegetation in most of the western areas looked really good (photo 2). It is well established and effectively controlling erosion. There are some area that still need to be topsoiled and seeded and these areas will be noted on the update ARR maps.

SIGNS AND MARKERS – Rule 4.02:

The mine entrance sign was in place at the entrance. The stream buffer zone signs were in place along the western portion of the permit area. The permit boundary markers on the western portion of the permit area are in place and well-marked (photo 3).

TOPSOIL – Rule 4.06

Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:

The topsoil stockpile south of containment area 1 is well vegetated and clearly marked with a sign (photo 4).

DOCUMENTS RECEIVED**OTHER (SPECIFY)****ENFORCEMENT ACTIONS/COMPLIANCE**

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

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PHOTOGRAPHS



Photo 1 – Containment Area 1 facing west



Photo 2 – Western part of mining facilities area

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Photo 3 – Permit boundary marker



Photo 4 – Topsoil stockpile by Containment Area 1

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Inspection reports

1 message

Bowles - DNR, Brock <brock.bowles@state.co.us>
To: Nick Mason <nmason@newelkcoal.com>

Mon, May 22, 2023 at 8:33 AM

Nick,
Here are the inspection reports for New Elk, C-1981-012, and Lorencito, C-1996-084.
Brock

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Brock Bowles
Environmental Protection Specialist



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2 attachments

- INSP-REPORTC_C1996084_BFB_05222023072453.pdf**
1473K
- INSP-REPORTC_C1981012_BFB_05162023082122.pdf**
4294K