



## COLORADO


Division of Reclamation,  
Mining and Safety

Department of Natural Resources

### PERMIT INFORMATION

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

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> May 9, 2023 <b>Inspection Start Time:</b> 12:00 <b>Inspection End Date:</b> May 9, 2023 <b>Inspection End Time:</b> 14:00		<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear	
<b>Joint Inspection Agency:</b>  None		<b>Joint Inspection Contacts:</b>	
<b>Post Inspection Agency:</b>  None		<b>Post Inspection Contacts:</b>	
<b>Inspector(s):</b>  Brock Bowles	<b>Inspector's Signature:</b>  		<b>Signature Date:</b>  May 22, 2023

**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 &amp; Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish &amp; Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - Roads

N - Reclamation Success

R - 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 of the Division of Reclamation, Mining and Safety (Division). Nick Mason of the New Elk Coal Company was present for the inspection. The weather was sunny, warm, with a light breeze and the ground was dry.

**AVAILABILITY OF RECORDS – Rule 5.02.4(1):**

The mine records were available for inspection at the mine office. The records checklist is attached at the end of this report.

**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 6 contained a small amount of water and it was not discharging (photo 1). The primary and emergency spillways were clear of obstructions. The embankment appeared to be stable.

Ponds 7, 8, 9 and 9A did not contain water (photo 2). The primary and emergency spillways were clear of obstructions and the embankments appeared to be stable.

**GENERAL MINE PLAN COMPLIANCE:**

The eroded hillside above Pond 6 appears to be in the same condition as it has been reported in the past. Rills and gullies persist down the slopes with limited vegetation establishment (photo 3).

The Pond 7, 8, and 9 fills were well vegetated and appeared to be stable.

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4

**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):

The roads around the mine site were in passible condition with a small amount of ruts.

**REVEGETATION – Rule 4.15**

Vegetative Cover; Timing:

The vegetation on the 7, 8 and 9 backfills looked good and has begun to sprout.

**SIGNS AND MARKERS – Rule 4.02:**

The mine entrance sign was in place.

**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 – Pond 6



Photo 2 – Pond 8

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Photo 3 – Hillside and drainage above Pond 6

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**AVAILABILITY OF RECORDS****PERMIT RECORDS**

DRMS Permit	X*
Permit Application w/Revisions	X
Findings Document	X
Insurance Certificate	X-2023
Bond Document	X
Phased Bond Release	X
Documents/Findings	
Air Emission Permits	X
County Special Use Permits	X
UG Mining Landowner Notification	n/a
Subsidence Monitoring Reports	n/a
Subsidence Monitoring Data	n/a
Rill & Gully Survey	X
Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	X- 2022
Midterm Review Documents	X- MT5
DRMS/OSM Inspection	X
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	X
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	X
<b>CERTIFICATIONS</b>	
Pond Certifications	X
Annual Certifications for Impoundments	X -2023
Fill Certifications for Excess Spoil or Underground Development Waste	
• Quarterly Inspections	X-3/2023
• Compaction Testing	X
• Final Certification	
Coal Processing Waste Banks	
Haul Road Certifications	X
Access Road Certifications	X

**HYDROLOGIC RECORDS**

NPDES Permit	X
NPDES Records	X
Stormwater Management Plan	X
SPCC Plan	n/a
MSHA Pond Inspections	n/a
	n/a
State Engineer's Pond Inspection	
Quarterly Pond Inspections	X – 1 <sup>st</sup> 2023
Annual Hydrology Reports	
• Ground Water Monitoring	
• Surface Water Monitoring	
• Spring & Seep Monitoring	n/a
• Mine Water Discharge Monitoring	n/a
• Mine Inflow Study	X-2014
• Water Consumption Records	
Well Permits	X

**BLASTING RECORDS**

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

**ADDITIONAL RECORDS (specify)**


**COMMENTS:**

X\* The permit expired on November 7, 2022. NECC submitted the renewal application in a timely manner and can continue mining operations according to Rule 2.08.5(3)(f) while the application is being reviewed.

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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