



STATE OF  
COLORADO

Wein - DNR, Clayton <clayton.wein@state.co.us>

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## New Horizon Mine, C-1981-008, May Complete Inspection Report

1 message

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**Wein - DNR, Clayton** <clayton.wein@state.co.us>

Mon, Jun 5, 2023 at 11:35 AM

To: "Tennyson, Tony (Colowyo)" <ttennyson@tristategt.org>

Cc: Lucas West - DNR <lucas.west@state.co.us>

Good morning Tony,

Attached is the Division's report for the complete inspection of the New Horizon Mine conducted on May 23, 2023. Please feel free to contact me if you have any questions.

Sincerely,

**Clayton Wein**

**Environmental Protection Specialist**



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

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**New Horizon Mine, C-1981-008, May 2023 Complete Inspection Report\_CCW.pdf**

1027K



**PERMIT INFORMATION**

<b>Permit Number:</b> C-1981-008 <b>Mine Name:</b> New Horizon Mine <b>Operator:</b> Elk Ridge Mining and Reclamation, LLC <b>Operator Address:</b> Mr. Tony Tennyson P.O. Box 628 27646 West 5th Avenue Nucla, CO 81424	<b>County:</b> Montrose <b>Operation Type:</b> Surface <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Mindy Sickles
<b>Operator Representative Signature: (Field Issuance Only)</b>	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> May 23, 2023 <b>Inspection Start Time:</b> 11:35 <b>Inspection End Date:</b> <b>Inspection End Time:</b>		<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>  None	
<b>Post Inspection Agency:</b>  None		<b>Post Inspection Contacts:</b>  None	
<b>Inspector(s):</b>  Clayton Wein	<b>Inspector's Signature:</b>  <i>Clayton Wein</i>		<b>Signature Date:</b>  6/5/2023

**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

Y - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - Roads

R - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

R - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

R - Topsoil

**COMMENTS**

This report documents the Division's observations taken during a complete inspection of the New Horizon Mine conducted on May 23, 2023. The inspection was conducted by Clayton Wein of the Division. Mindy Sickles represented the operator, Elk Ridge Mining and Reclamation LLC, for the inspection. The weather was clear with a temperature of 67 degrees F. The ground conditions were dry with some muddy areas.

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

The records for the New Horizon Mine are located at the mine office just south of 5th street. The records were well kept and up to date. For more details please see the Availability of Records Form attached to 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:

Stock Pond SP-2 was holding water during the inspection. There was no discharge through the primary spillway. The pond's embankment was stable with vegetative cover (Photo 1). There were no indications of erosional features. The primary outlet for the pond was clear of debris. The bottom of Pond 012 was damp at the time of the inspection (Photo 2). The primary outlet for the pond was observed to be free of obstructions. There were no indications of instability or erosion on the embankment. The embankment was covered with vegetation. Pond 013 was impounding water from the French drain and from irrigation waters (Photo 3). The level of water in the pond was entering the discharge outlet. The outlet was clear of debris and functioning as designed. The pond's embankment was vegetated and stable. No erosional features were identified. Pond 015 was dry (Photo 4). The embankment was stable with some vegetative cover. The minor rills observed on the pond's embankment had not enlarged during the spring. The outlet for the pond was unobstructed. Pond 016 was holding water during the inspection (Photo 5). No discharge was observed from the pond. The outlet was clear of debris. Pond 016's embankment was stable with vegetative cover. There were no erosional concerns identified. Pond 018 was observed to be dry. The outlet for the pond was unobstructed. The embankment was stable with vegetation. No indications of erosion were identified.

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The remaining disturbed area at the mine site have berms installed on the down-gradient locations. Berms at the mine site were covered with vegetation and stable. There were no breaches or off-site impacts observed.

#### 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):

2700 Road and BB road were traversed during the inspection. Both roads were in good condition and stable. No erosional concerns were identified.

#### RECLAMATION SUCCESS - Rule 4.15, Rule 3:

Irrigated Pasture area 10 (IP-10) was stable with vegetative cover. A section of IP-10 appeared to have topsoil recently placed on it. The ground in that section was bare and no vegetative cover was noted. The section with replaced topsoil was stable and there were no indications of erosion.

Irrigated Pasture areas 8, 9 and 11 are located to the northwest of IP-10, across the intersection of 2700 Road and BB Road. All three irrigated pasture areas were stable with vegetative cover. No erosional features were identified.

Located surrounding IP 9 and 11 are Dryland Pasture areas 10, 11, 14, 15 and 18. At the time of the inspection all five of the dryland pasture areas were stable with green vegetative cover. There were no erosional concerns observed.

There are 5 stockpiles of Bench 1 Material placed within Section 36. The stockpiled material was observed to be stable with no erosional features. There was no indication of loss of subsoil resources.

Irrigated Cropland No. 1 (IC-1) is to the west of IP-10 across 2700 Road. IC-1 was covered with established vegetative cover (Photo 6). The field was stable and there were no erosional features observed.

#### SUPPORT FACILITIES - Rule 4.04:

The support facilities for the mine are located to the southeast of the majority of the remaining New Horizon Mine, on the south side of 5th Street. The pad for the min office and shop had no erosional concerns identified and was stable. Any runoff from this pad is directed to Pond 18. The pad was well kept and no non-coal waste was identified. The access road leading south from the shop to Pond 18 had been recently rutted up by a large vehicle. The access road will be regraded when ground conditions allow.

#### SIGNS AND MARKERS – Rule 4.02:

There were many mine identification signs posted along the permit boundary. The signs were posted in unobstructed locations and displayed the current information about the permittee, the permit and the Division. Stream buffer zone markers were in place along the south side of Tuttle Draw as required by the permit. The markers were found in clear locations.

#### TOPSOIL – Rule 4.06

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

Topsoil stockpiles 4, 5, 11A (Photo 7), 11B (Photo 8), 12 (Photo 9) and 13 were visited during the inspection. The topsoil piles were observed to be stable with sufficient vegetative cover. The perimeter ditches for the piles were stable and in good condition. No erosional concerns were identified. There was no loss of topsoil resource observed. Topsoil pile markers were observed at each of the stockpiles. The signs were posted in un-

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obstructed locations.

**DOCUMENTS RECEIVED: None**

**OTHER (SPECIFY): None**

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**ENFORCEMENT ACTIONS/COMPLIANCE**

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

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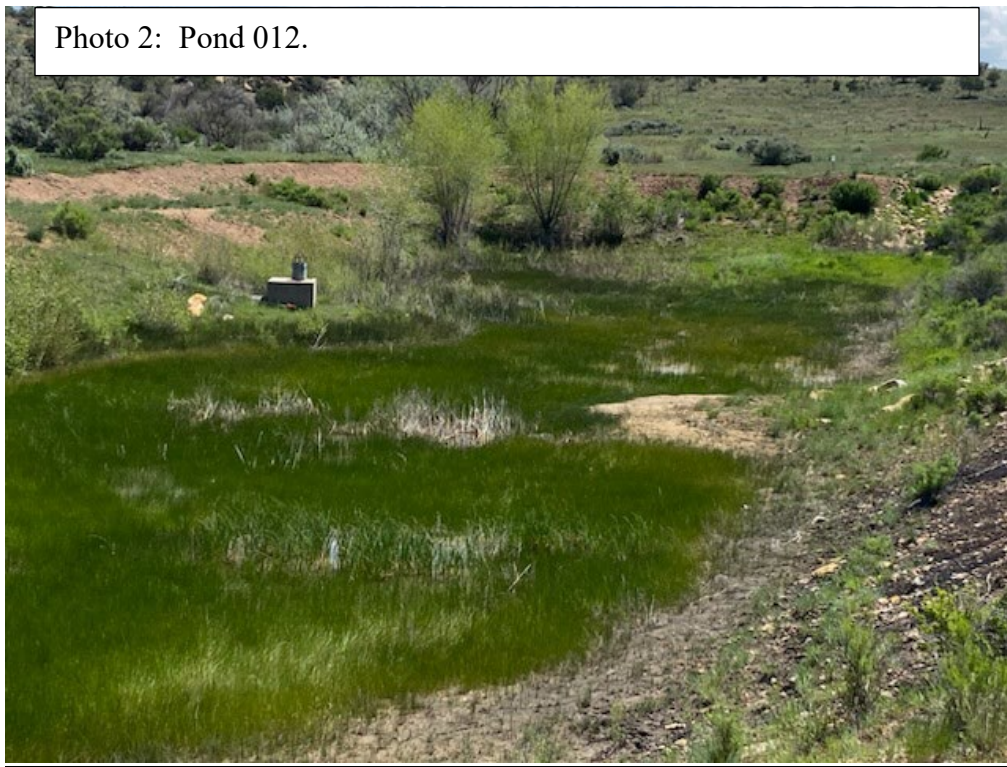
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## PHOTOGRAPHS

Photo 1: The SP-2 stock pond.



Photo 2: Pond 012.



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Photo 3: Pond 013.



Photo 4: Pond 015.



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Photo 5: Pond 016.



Photo 6: Irrigated Cropland 1.



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Photo 7: Topsoil Stockpile 11A.



Photo 8: Topsoil Stockpile 11B.



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Photo 9: Topsoil Stockpile 12.



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

DRMS Permit	RN-8 under review
Permit Application w/Revisions	Ok
Findings Document	RN-7/SL-25
Insurance Certificate	Exp. Aug.2023
Bond Document	RN-7
Phased Bond Release	SL-25
Documents/Findings	
Air Emission Permits	Ok
County Special Use Permits	Ok
UG Mining Landowner Notification	NA
Subsidence Monitoring Reports	NA
Subsidence Monitoring Data	NA
Rill & Gully Survey	NA
Vegetation Monitoring Data	2022 ARR/SL-25
Specific Variance Approvals	NA
Annual Reclamation Reports	2022
Midterm Review Documents	MT-7
DRMS/OSM Inspection	Up to Apr. 2023
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	Ok 2016
Temporary Cessation Notification	NA
Reclamation Cost Estimate	RN-7
<b>CERTIFICATIONS</b>	
Pond Certifications	1 <sup>st</sup> Q 2022
Annual Certifications for Impoundments	Ok 2022
Fill Certifications for Excess Spoil or Underground Development Waste	NA
• Quarterly Inspections	NA
• Compaction Testing	NA
• Final Certification	NA
Coal Processing Waste Banks	NA
Haul Road Certifications	Ok
Access Road Certifications	NA

**HYDROLOGIC RECORDS**

NPDES Permit	*2021
NPDES Records	Up to Mar. 2023
Stormwater Management Plan	Ok 2019
SPCC Plan	NA
MSHA Pond Inspections	NA
State Engineer's Pond Inspection	NA
Quarterly Pond Inspections	1 <sup>st</sup> Q. 2023
Annual Hydrology Reports	2022
• Ground Water Monitoring	Ok
• Surface Water Monitoring	OK
• Spring & Seep Monitoring	OK
• Mine Water Discharge Monitoring	Ok
• Mine Inflow Study	NA
• Water Consumption Records	OK
Well Permits	OK

**BLASTING RECORDS**

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

**ADDITIONAL RECORDS (specify)**


COMMENTS: \* ERMR has applied for CDPS permit (3/9/2021)

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