



June inspection reports

1 message

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

Tue, Jun 13, 2023 at 11:34 AM

Nick,
Attached are the inspection reports for the New Elk, C-1981-012, and Lorencito, C-1996-084, Mines.
Let me know if you have any questions.
Hope you and your family are doing well.
Brock



—
Brock Bowles
Environmental Protection Specialist



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

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2 attachments

-  **INSP-REPORTC_C1996084_BFB_06132023105313.pdf**
1573K
-  **INSP-REPORTC_C1981012_BFB_06122023024951.pdf**
3513K



COLORADO


Division of Reclamation,
Mining and Safety

Department of Natural Resources

PERMIT INFORMATION

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: John Terry
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: June 1, 2023 Inspection Start Time: 08:00 Inspection End Date: June 1, 2023 Inspection End Time: 12:00		Inspection Type: Coal Complete 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 Patrick Lennberg	Inspector's Signature: 		Signature Date: June 13, 2023

Inspection Topic Summary

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

N - Air Resource Protection	N - Roads
R - 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	R - Support Facilities On-site
R - Hydrologic Balance	N - Signs and Markers
N - Gen. Compliance With Mine Plan	R - Support Facilities Not On-site
N - Other	N - Special Categories Of Mining
R - Processing Waste	N - Topsoil

COMMENTS

This complete inspection was conducted by Brock Bowles and Patrick Lennberg of the Division of Reclamation, Mining and Safety (Division). John Terry of the New Elk Mine was present for the inspection. The weather was clear with few scattered clouds, warm, with a light breeze. The ground was mostly dry.

The mine was not in operation and was considered shut down according to the remaining staff on site.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The mine records were checked in the office. The records check list is available at the end of this report.

The insurance certificate expired in April 2023 and needs to be updated.

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 1 contained a small amount of water and was not discharging. The pond is lined and the liner appeared to be in working order. The discharge point was clear of obstructions.

Pond 4 contained a small amount of water and was not discharging. The embankment appeared stable and the primary and secondary spillways were clear of obstructions.

Pond 6 contained water. The embankment appeared to be stable (photo 1).

Pond 7 contained some water but was really low and not discharging (photo 2). The embankment appeared stable. The primary and emergency spillways were clear of obstructions.

Pond 8 contained water but was not discharging. The primary and emergency spillways were clear of obstructions. According to the sediment pole in the pond, the capacity of the pond is greater than the required 10yr/24hour event.

Number of Partial Inspection this Fiscal Year: 8

Number of Complete Inspections this Fiscal Year: 4

Containment ponds 1, 2, 3 and 4 did not contain water and appear to be in working order. Containment 5 had a small amount of water and was in working order.

The culverts C9A, C9, C8, C5, C19 and ditches D2, D6, D5 D10, D10A, D11, D12 and D13 were in working order. Culvert C64, west of the wash plant needs to have the sump cleaned before it becomes sediment loaded (photo 3).

The sediment pond at the east end of DWDA 2 contained water.

The sump at Discharge 11 has been re-established (photo 4). An additional sump has been established at the discharge end of culvert C30 to control sediment before being discharged (photo 5).

The SAE structures leading to discharge 10 were in good condition and the sumps were clean. No water was discharging.

PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11

Drainage Control; Surface Stabilization; Placement:

No coal waste was being placed on the RDA. The top of the pile was sloped to direct runoff to the perimeter ditch. The perimeter ditch in the area of the underdrain on the northwest corner of the RDA is not well defined (photo 6). The ditch in this area does not clearly direct water away from the underdrain and towards Pond 8 and needs to be re-established.

The clean water diversion ditch was walked to verify site maps and site conditions for TR77. The maps appear to be consistent with ground condition. The hillside above the clear water ditch is approximately 1h:1v and moderately covered with small trees, shrubs and bunch grasses. The soil surface consists of about 25% rock and 75% soil (photo 7). Topsoil appears to be sparse in this area.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

The seeded area west of the wash plant was looking good. Vegetation continues to sprout and the hydro mulch seems to be preventing erosion till the vegetation becomes more established.

SUPPORT FACILITIES - Rule 4.04:

The damaged chemical storage containers in the Portable Explosives and Chemical Storage Area were put into secondary containment as noted in the April 2023 inspection report. It was noted during this inspection that there is a hole in the bottom of the secondary containment (photo 8). This situation needs to be addressed quickly.

OFFSITE SUPPORT FACILITIES - Rule 4.04, 4.28:

The Jansen loadout gate was closed upon arrival. A small amount of coal was in the staging area. A train was park on the siding for storage but it was not intended to be loaded.

DOCUMENTS RECEIVED

OTHER (SPECIFY)

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ENFORCEMENT ACTIONS/COMPLIANCE

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

PHOTOGRAPHS



Photo 1 – Pond 6

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Photo 2 – Pond 7 facing east



Photo 3 – The sump at culvert C64 needs cleaning

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Photo 4 – Sump at Discharge 11



Photo 5 – Sump below Culvert C30 above Discharge 11

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Photo 6 – Perimeter Ditch needs direct water past underdrain



Photo 7 – Hillside conditions above clear water diversion ditch

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Photo 8 – Break in the secondary containment floor

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	X
Permit Application w/Revisions	X
Findings Document	X PR5
Insurance Certificate	X- expired*
Bond Document	X
Phased Bond Release	X
Documents/Findings	
Air Emission Permits	X
County Special Use Permits	Exempt
UG Mining Landowner Notification	Feb 2012
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 – MT8
DRMS/OSM Inspection	X
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	X
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	X – PR7
CERTIFICATIONS	
Pond Certifications	X
Annual Certifications for Impoundments	X – 1 st Qtr 2023
Fill Certifications for Excess Spoil or Underground Development Waste	X
• Quarterly Inspections	X – 1 st Qtr 2023
• Compaction Testing	X – 1 st Qtr 2023
• Final Certification	n/a
Coal Processing Waste Banks	X
Haul Road Certifications	X
Access Road Certifications	n/a

HYDROLOGIC RECORDS

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

BLASTING RECORDS

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

ADDITIONAL RECORDS (specify)

COMMENTS: *the insurance certificate expired in April 2023 and needs to be updated

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