



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

June 29, 2023

New Elk Coal Company, LLC.
Attn: Mark Gray
12250 Highway 12
Weston, Colorado 81091

Re: Lorencito Canyon Mine; C-1996-084
Second Quarter 2023 Fill Inspection Report Review

Dear Mr. Gray:

The Colorado Division of Reclamation, Mining and Safety (CDRMS) has reviewed and found the above referenced report to be in general compliance with the following CDRMS regulations with exceptions noted below:

- 4.09.1(11)(a) Inspected at least quarterly by a registered engineer or other qualified professional specialist in construction of earth and rockfill embankments under the direction of a qualified engineer throughout the construction and critical periods.*
Fills 7, 8 and 9 were inspected. Each of these fills are in final reclamation and no additional fill material is being placed on these facilities. The certified report covers the fourth quarter monitoring period from April 1 to June 30, 2023. The inspections were conducted by John Terry on June 22, 2023. A certified engineer stamped the report on June 22, 2023.
- 4.09.1(11)(b) Provide to the Division a certified report within 2 weeks after each inspection that the fill has been constructed as specified in the design approved by the Division. The report shall include a description of any appearances of instability, structural weakness, and other hazardous conditions.*
The inspection was conducted on June 22, 2023 and certified by the engineer on June 22, 2023. The Division received the report on June 23, 2023. The report was submitted to the Division within two weeks after the report was stamped and certified by an engineer. No instability, structural weakness, or other hazardous conditions were noted during this inspection of the fills.

If you have any questions feel free to contact me at brock.bowles@state.co.us or (720) 774-0040.

Sincerely,

Brock Bowles



2023 1Q Fill Inspection
April 11, 2023
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Environmental Protection Specialist

Ec: Nick Mason; NECC, nmason@newelkcoal.com