




PERMIT INFORMATION

Permit Number: C-1981-012 Mine Name: New Elk Mine Operator: New Elk Coal Company, LLC Operator Address: Mr. Nick Mason 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

Inspection Start Date: August 23, 2023 Inspection Start Time: 14:00 Inspection End Date: August 24, 2023 Inspection End Time: 14:00	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 Amber Michels	Inspector's Signature:  Signature Date: September 1, 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 & Grading

R - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

N - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

N - Roads

N - Reclamation Success

R - Revegetation

N - Subsidence

N - Slides and Other Damage

N - Support Facilities On-site

N - 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 and Amber Michels of the Division of Reclamation, Mining and Safety (Division). Nick Mason 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 is in a care and maintenance status.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

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

EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09

Placement; Drainage Control; Surface Stabilization:

The sediment basin at the east end of DWDA2 contained water. The berm around the basin appeared to be stable. The check dams in the ditches around the DWDA2 were nearly full and will need cleaning. Culvert C13 was free of obstructions.

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 water and was not discharging. The primary spillway was free of obstructions. The pond liner appeared to be in good condition. The fence around the pond (photo 1) was in good condition and the gate was closed upon arrival. The vegetation on the embankment was good and the embankment appeared to be stable

Pond 4 contained water but was not discharging. Water was being pumped into Pond 4 from Pond 7. The primary and emergency spillways were clear of obstructions.

Pond 7 contained a small amount of water but was not discharging (photo 2). The bottom of the pond had a large

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crop of sunflowers. At the present time this is not a problem as it has only has minimal effect on capacity and water flow. However, as these annual plants die, they will generate debris that will interfere with the primary drainage spillway. The emergency spillway was free of obstructions and the embankment appeared to be stable.

Pond 8 contained water but was not discharging. The emergency and primary spillways were clear of obstructions.

SAE 10 consists of a series of silt fence dams on either side of the haul road next to Pond 7 (photo 3). The sumps in front of the silt fences were clean. The outfall was also free of obstructions.

The clean water flume and culvert C48 were clear of obstructions.

The outlet side of culverts C46 and C34 have sediment build up restricting the flow of water (photo 4). These culverts need to be cleaned.

The ditches and culverts in the area of the main intersection near the west end of Pond 1 were inspected. Culverts C9A, C9, C19 and C8 were clear of obstructions. Ditches D5, D6, D10, and D13 were clear of obstructions.

The sediment catch basin at Outfall 11 contained water but was not discharging. The basin had extra capacity and was in working order (photo 5).

Containment area 5 had some water.

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

Drainage Control; Surface Stabilization; Placement:

The ditch along the west perimeter of RDA needs to convey water past the underdrain. Some work has been done since the last inspection, but additional work is needed. Water has been ponding in this area as noted by dried up puddles (photo 6).

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

The vegetation on the hillside above the river behind the wash plant was looking good. The berm separating the creek from the disturbed area was in good condition (photo 7).

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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PHOTOGRAPH



Photo 1 – Fencing around Pond 1



Photo 2 – Pond 7 facing west

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Photo 3 – SAE 10 along haul road



Photo 4 – Outlets of Culverts C46 and C34

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Photo 5 – Outfall 11



Photo 6 – Dried puddle on top of RDA shows water cannot drain properly.

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Photo 7 – Berm behind wash plant protecting the river

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	X, expires Feb. 2024
Permit Application w/Revisions	X
Findings Document	X, July 2022
Insurance Certificate	X, April 2024
Bond Document	X, 2020
Phased Bond Release Documents/Findings	X, SL-2
Air Emission Permits	X, 2021 (4)
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, 2023 ARR
Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	X, 2023
Midterm Review Documents	X – MT8
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	X, through July 2023
Transfers/Succession of Operator	X, 2021
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	X, MT-8, 2021
CERTIFICATIONS	
Pond Certifications	001, 004, 005, 006, 007, 008
Annual Certifications for Impoundments	X, March 2023
Fill Certifications for Excess Spoil or Underground Development Waste	X, June 2023
• Quarterly Inspections	X, June 2023
• Compaction Testing	X, March 2023
• Final Certification	n/a
Coal Processing Waste Banks	X, June 2023
Haul Road Certifications	X
Access Road Certifications	n/a

HYDROLOGIC RECORDS

NPDES Permit	X, On extension
NPDES Records	X, 2023
Stormwater Management Plan	X
SPCC Plan	X
MSHA Pond Inspections	X, Pond 8
	n/a
State Engineer's Pond Inspection	
Quarterly Pond Inspections	n/a
Annual Hydrology Reports	X, 2022
• Ground Water Monitoring	X, 2022
• Surface Water Monitoring	X, 2022
• Spring & Seep Monitoring	n/a
• Mine Water Discharge Monitoring	n/a
• Mine Inflow Study	n/a
• 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
	n/a
Pre-Blast Surveys	

ADDITIONAL RECORDS (specify)

COMMENTS:

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STATE OF
COLORADO

Bowles - DNR, Brock <brock.bowles@state.co.us>

August Inspection reports

1 message

Bowles - DNR, Brock <brock.bowles@state.co.us>

Fri, Sep 1, 2023 at 4:12 PM

To: Nick Mason <nmason@newelkcoal.com>

Cc: Amber Michels - DNR <amber.michels@state.co.us>

Nick,

Here are the Aug inspection reports for the New Elk (M-1981-012) and Lorencito (M-1996-084) mines.

Have a good weekend,

Brock

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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_ANM_09012023010722.pdf

1758K



INSP-REPORTC_C1981012_ANM_09012023120701.pdf

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