



STATE OF  
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

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## Lorencito Canyon Mine, C-1996-084, Inspection Report

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Ebert - DNR, Jared <jared.ebert@state.co.us>

Wed, Sep 13, 2023 at 8:35 AM

To: Nick Mason <nmason@newelkcoal.com>

Cc: Amber Michels - DNR <amber.michels@state.co.us>, DNR\_DRMS\_Coal\_Admin <dnr\_drms\_coal\_admin@state.co.us>

Hello Nick,

Please see the attached inspection report.

Jared

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Jared Ebert

Senior Environmental Protection Specialist



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

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**INSP-REPORTC\_C1996084\_ANM\_09132023082623.pdf**  
609K

**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. Nick Mason 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> September 5, 2023 <b>Inspection Start Time:</b> 15:30 <b>Inspection End Date:</b> September 5, 2023 <b>Inspection End Time:</b> 16:45		<b>Inspection Type:</b> Coal Partial 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>  Jared Ebert  Amber Michels	<b>Inspector's Signature:</b>    <b>Signature Date:</b>  September 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 - 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  
N - Processing Waste

N - Roads  
R - Reclamation Success  
N - 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 was a partial inspection of the Lorencito Canyon Mine, Colorado Division of Reclamation, Mining and Safety (“DRMS” or “Division”) permit number C-1996-084, operated by New Elk Coal Company, LLC (“NECC”). I, Jared Ebert and Amber Michels with DRMS conducted the inspection. Mr. Nick Mason with NECC accompanied us during the inspection.

Permit Renewal No. 5 (“RN5”) application is under review. DRMS is waiting on NECC’s response to the remaining adequacy review issues. The current decision date is October 6, 2023.

### EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09

Placement; Drainage Control; Surface Stabilization:

Fill 007 was observed. The face of the fill is well vegetated and appeared stable. Only minor rills were observed.



*Figure 1. Fill 007*

### 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 005 was observed. The primary and emergency spillway was clear and functional. The pond was dry and therefore was not discharging. The pond embankment was stable and vegetated.

Pond 006a was holding water but not discharging. The pond embankment was stable and vegetated, and the primary and emergency spillways appeared clear and functional.

Pond 007a was holding a small puddle of water but was not discharging. The pond embankment was stable and vegetated, and the primary and emergency spillways appeared clear and functional.

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

The area above where NECC stores pond and ditch cleanings consists of a steep slope. This slope was observed. Erosion rills and gullies were observed but the vegetation on this slope appears better established this year than previously observed by DRMS. NECC is encouraged to continue to monitor this area and conduct maintenance as needed.



*Figure 2. Reclaimed area above the sediment cleaning storage area.*

The reclaimed land above Pond 006a reported to have been seeded in 2007 is still much eroded. NECC is required to provide a plan to stabilize this area through the RN5 process. DRMS is waiting for NECC's response to this issue.

**DOCUMENTS RECEIVED - None**

**OTHER (SPECIFY) - None**

#### **ENFORCEMENT ACTIONS/COMPLIANCE**

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