

STATE OF  
COLORADO

Wein - DNR, Clayton &lt;clayton.wein@state.co.us&gt;

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## King Mine, C-1981-035, September 2023 Inspection Report

1 message

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

Mon, Sep 18, 2023 at 4:00 PM

To: McCourt Jordan <jmccourt@gcc.com>, Vance Sarah <svance@gcc.com>, Dickson Michael <mdickson@gcc.com>, Bird Tom <tom@haygulchservices.com>, "Dorenkamp Chris (Frank)" <cdorenkamp@gcc.com>, Lucas West - DNR <lucas.west@state.co.us>

Good afternoon All,

Attached is the Division's report for the complete inspection of the King Mine conducted on September 6, 2023. Please note the items in the report in bold text. Two minor maintenance items were identified during the inspection. The first was to remove the rebar found in the ditch located in-between the bath house and LRDA at King I. The Division has received photos of this maintenance item being completed. The second was to spray a patch of thistle located just south of the topsoil stockpile at King II. The Division has not yet received notification of the completion of this item. Please feel free to contact me if you have any questions or concerns.

Sincerely,

**Clayton Wein**

**Environmental Protection Specialist**



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

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**King Mine, C-1981-035, September Complete Inspection Report\_CCW.pdf**

2203K



**PERMIT INFORMATION**

<b>Permit Number:</b> C-1981-035 <b>Mine Name:</b> King Coal Mine <b>Operator:</b> GCC Energy, LLC <b>Operator Address:</b> Mr. Jordan McCourt 6473 County Road 120 Hesperus, CO 81326	<b>County:</b> La Plata <b>Operation Type:</b> Underground <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Jordan McCourt
<b>Operator Representative Signature: (Field Issuance Only)</b>  	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> September 6, 2023 <b>Inspection Start Time:</b> 09:40 <b>Inspection End Date:</b> September 6, 2023 <b>Inspection End Time:</b> 11:50		<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>  9/18/2023

**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

R - Excess Spoil and Dev. Waste

N - Explosives

Y - Fish &amp; Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

R - Roads

N - 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 observations made by the Division during a complete inspection of the King Mine on September 6, 2023. The Inspection was completed by Clayton Wein of the Division. GCC Energy was represented during the inspection by Jordan McCourt. The weather was clear with a temperature of 65 Degrees F. The ground conditions were dry.

The Division sent the operator a letter on August 30, 2023 detailing a list of required maintenance items following the Division's August 16, 2023 partial inspection. The Letter outlined 7 maintenance items. Maintenance Items 2, 3 and 5 were due no later than September 5, 2023. Maintenance items 7, 8, 9 and 10 were due no later than September 19, 2023. Maintenance items 2, 3 and 5 were resolved by September 5, 2023. GCC submitted a letter with photographs documenting the completion of these maintenance items. The Division considers maintenance items 2, 3 and 5 to be satisfied. A Minor Revision (MR-51) was submitted to the Division on September 13, 2023. The submittal of MR-52 prior to September 19, 2023 satisfies maintenance item 10. The remaining maintenance items (7, 8, and 9) were requested to be extended to November 1, 2023 in a letter to the Division dated September 14, 2023. GCC outlined a plan to complete the work required by maintenance items 7, 8 and 9 along with a projected timeline to complete the work. The Division responded to GCC approving the request to extend the due date for maintenance items 7, 8 and 9 to November 1, 2023 in a letter dated September 14, 2023.

**Two maintenance items were identified during this inspection:**

**1. Pieces of rebar were found in the bottom of the ditch between the bath house and LRDA at the King I area (Photo 1). GCC submitted photographs to the Division on September 6, 2023 documenting the completion of this maintenance item. The Division considers this maintenance item satisfied.**

**2. A patch of thistle was identified to the southeast of the main topsoil pile at the King II Area (Photo 2). Please spray the thistle as soon as possible to prevent the spread of the plant onto the topsoil pile.**

Number of Partial Inspection this Fiscal Year: 2Number of Complete Inspections this Fiscal Year: 1

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

The records for the King mine are located at the mine office at the King II facilities area. The records were well kept and up to date. **Please see the Availability of Records Form attached to the end of this report for more details.**

**EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09**

Placement; Drainage Control; Surface Stabilization:

All trash at the King I and King II areas was observed to be kept within trash bins or dumpsters. There were no overflowing trash receptacles or loose trash observed throughout the mine's facilities.

**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:

Two sediment ponds are located at the King I area, the east pond and the west pond. The east pond was damp during the inspection. The east pond's inlet and outlet were clear of debris. The embankment was stable with vegetative cover. No indications of erosion were observed. The west pond was holding a small amount of water. The level of water in the pond was below the discharge outlet. The outlet was unobstructed. The pond's embankment was vegetated and stable. There were no indications of erosion.

Ditches throughout the King I area were dry and stable during the inspection (Photo 3). No blockages were observed. Culverts located within the King I area were also free from debris and the culverts' inlets and outlets were unobstructed.

The East and West Clearwater Diversions were dry and stable. There were no indications or erosional concerns noted during the inspection.

The sediment pond located at the southern port of the King II area was holding water during the inspection. The amount of water stored in the pond was below the level of the discharge outlet. The pond is undergoing cleaning when conditions allow. Some pond cleaning remained during the inspection due to the pond being too soft for equipment to access the cleanings (Photo 4). The operator stated that the remaining pond cleanings will be removed as soon as conditions allow. The sediment pond's embankment was stable with vegetative cover. There were no erosional concerns identified.

Ditches throughout the King II area were observed to be functioning as designed (Photo 5). A small amount of water was observed flowing in the ditches during the inspection. There were no sections observed to have blockages or other erosional issues. Culverts throughout the King II area were observed to be clear of debris and functioning as designed. The sump located behind the fuel storage shed was in good condition. The inlet to the sump was clear of blockages.

The clear water diversions were observed to be dry and clear of debris at the time of the inspection (Photo 6). There were no erosional concerns identified.

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

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**Drainage Control; Surface Stabilization; Placement:**

There are two refuse disposal piles located at the King I area. The Upper Refuse Disposal Area was stable with no indications or erosion. Refuse material on top of the pile had been spread and compacted (Photo 7). The pile gently slopes to the northwest to allow surface runoff to be collected in the drainage reporting to the sediment ponds. The face of the refuse pile was stable with no major rills or gullies.

The lower refuse pile was stable with no erosional features identified. As outlined in the Division's August 30, 2023 letter, Reach 13 had been temporarily re-routed to connect the interface with the top of the Lower Refuse Disposal Area (LRDA) to Reach 10 (Photo 8 and 9). This will divert runoff from interacting with the northwest corner of the LRDA while maintenance items 7, 8 and 9 are completed. The ditch for Reach 13 met the design specifications for ditches as outlined on KI Map 007A. The ditch was stable with no blockages observed. The face of the LRDA was stable with no erosional features. Reach 10 had been returned to its design specifications and location as outlined on KI Map 007 (Photo 10). The ditch was clear of debris and stable. Reach 10's lowest section was returned to the Map 007 location as well (Photo 11). The ditch paralleled the haul road down the western side of the LRDA. The ditch was reconstructed to the design specifications outlined on KI Map 007B. The ditch was observed to be stable with no obstructions. **A small pile of pond cleaning material was on top of the LRDA. Please ensure that this refuse material is placed on the URDA before maintenance work is conducted on the northeast corner of the LRDA (Photo 12).** The ditch at the base of the LRDA was stable. **Pieces of rebar were found in the bottom of the ditch between the bath house and LRDA at the King I area (Photo 1). GCC submitted photographs to the Division on September 6, 2023 documenting the completion of this maintenance item.**

**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):

The haul road at the King I area was stable with no indications or erosional features. All three culverts between the URDA and the LRDA were clear of debris and functional (Photo 13 and 14). The ditches in the refuse disposal area were unobstructed and stable (Photo 15). The ditches were dry during the inspection.

The haul road at the King II Mine was stable. There were no ruts or other erosional concerns identified. The ditch for the haul road was clear from blockages and stable. The sump located at the end of the ditch by the cattle guard was in good condition and functioning as designed to treat runoff from the road before leaving the King II permit area.

**SUPPORT FACILITIES - Rule 4.04:**

Active support facilities are located within the King II Mine. Facilities including conveyors, coal stockpiles, an air jig, and other coal processing facilities were well kept. The pad for these support facilities was stable with no erosional features. There were no areas with ponded water indication that the supporting drainage control structures were functioning as designed.

**SIGNS AND MARKERS – Rule 4.02:**

Mine Identification signs were located at the entrances to the King I mine and the King II Mine. The signs were located in areas with unobstructed views from the county road. Topsoil piles at the King I mine and the King

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II Mine were identified on top of the piles. Disturbed area boundaries were marked by a combination of T-posts and disturbed boundary signs (Photo 16).

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 stockpiled at the King I Mine was stable with vegetative cover. The pile had no indications of erosional features or loss of topsoil resource. The topsoil pile marker was on top of the pile. The topsoil pile at the King II Mine was also vegetated and stable. There were no erosional features identified. The topsoil pile marker was observed to be in place. No loss of topsoil resource had occurred. **A patch of thistle was identified to the southeast of the main topsoil pile at the King II Area (Photo 2). Please spray the thistle as soon as possible to prevent the spread of the plant onto the topsoil pile.**

**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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**PHOTOGRAPHS**

Photo 1: Some of the rebar found in the ditch between the bath house and LRDA at the King I Mine.

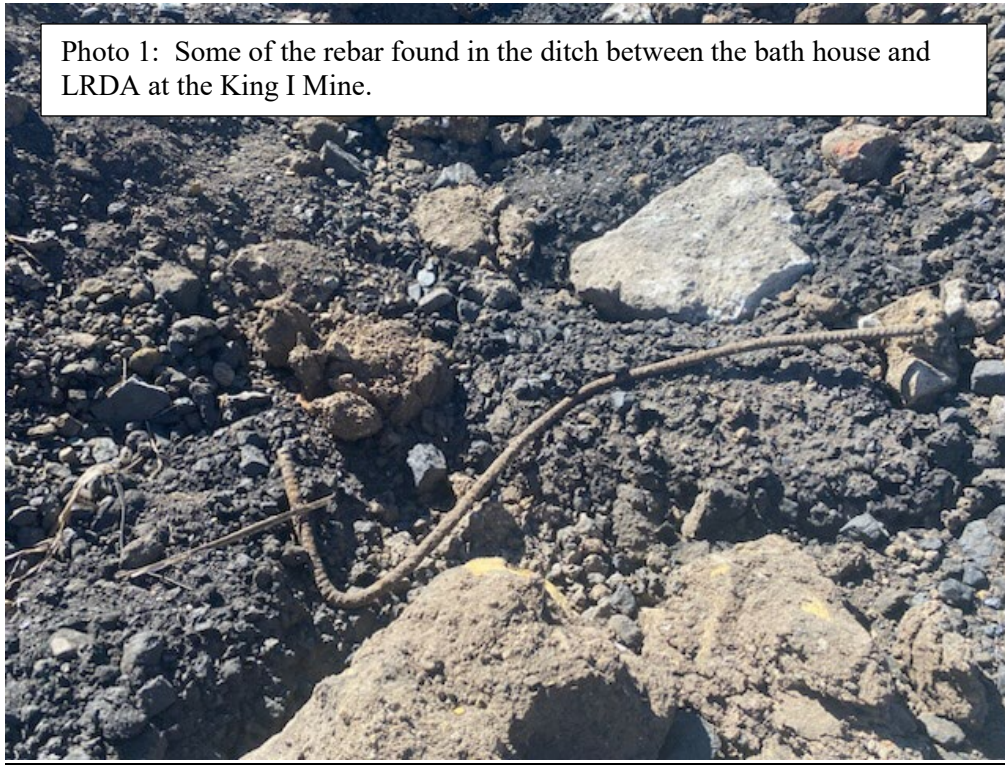


Photo 2: The patch of thistles located at the King II Mine, south of the topsoil pile.



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Photo 3: One of the riprap lined ditches at the King I Mine. The old bath house is located to the right of where photo was taken.



Photo 4: The sediment pond located at the southern part of the King II Mine. The pond was in the process of being cleaned.



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Photo 5: One of the water diversion ditches at the King II facilities. The ditch in the photo transports runoff to a culvert, where the photo was taken, and enters the sediment pond.

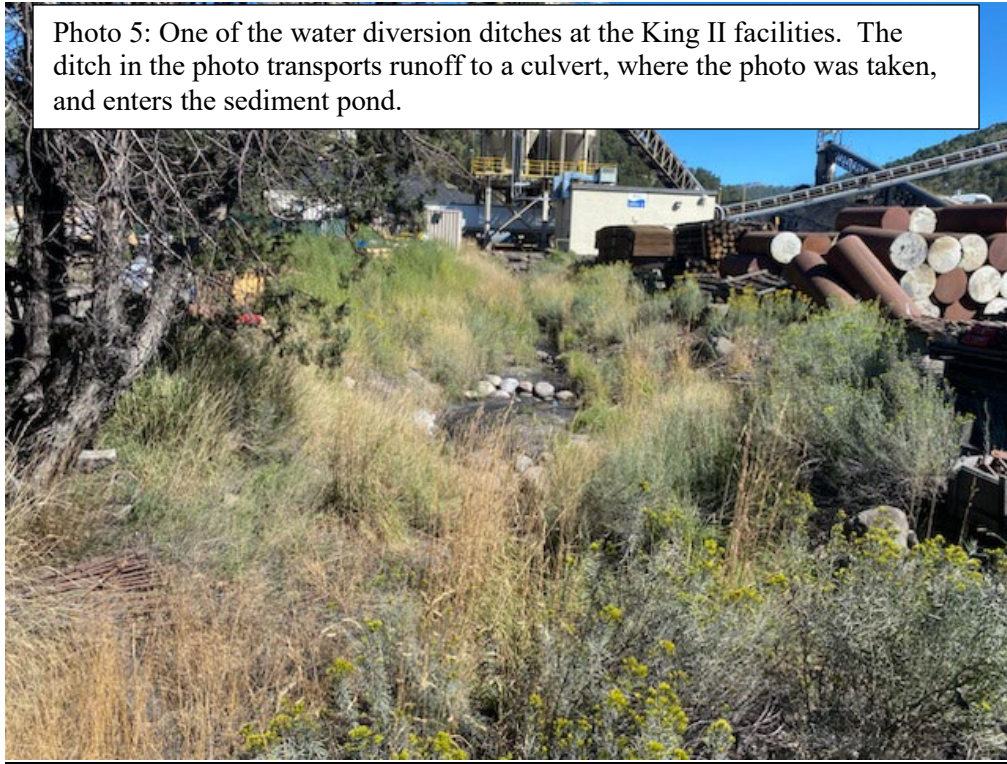


Photo 6: A portion of the King II eastern Clearwater Diversion Ditch. The photo was taken looking to the south.



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Photo 7: The top of the URDA. The photo was taken at the norther edge of the pile looking to the south.



Photo 8: The temporary section of Reach 13 connecting to Reach 10. The photo was taken next to the junction of Reach 13 and Reach 10 looking east.



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Photo 9: The area where Reach 13 is temporarily diverted upon entering the LRDA.



Photo 10: The re-established portion of Reach 10 on the LRDA. The photo was taken on the western part of the LRDA looking to the south.



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Photo 11: The lowest portion of the ditch paralleling the haul road going up the west side of the LRDA.

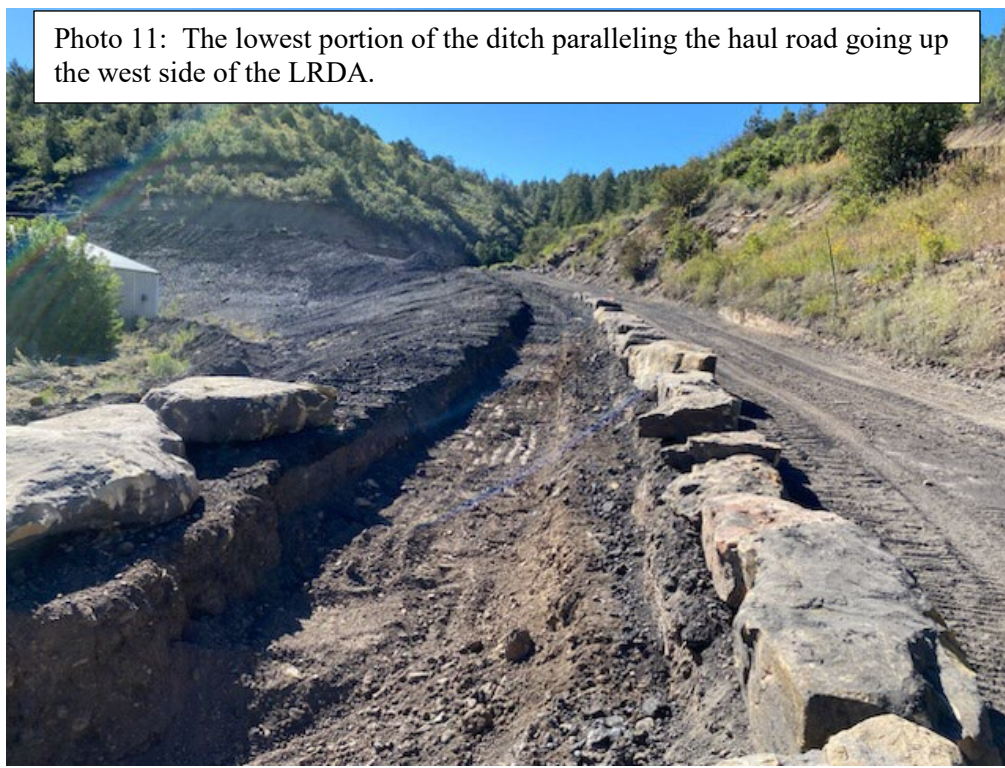


Photo 12: The material from pond cleaning stockpiled on the LRDA.



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Photo 13: The outlet of the lowest culvert on the haul road in-between the URDA and the LRDA.



Photo 14: The upper culvert inlet along the haul road in-between the URDA and the LRDA.



Number of Partial Inspection this Fiscal Year: 2

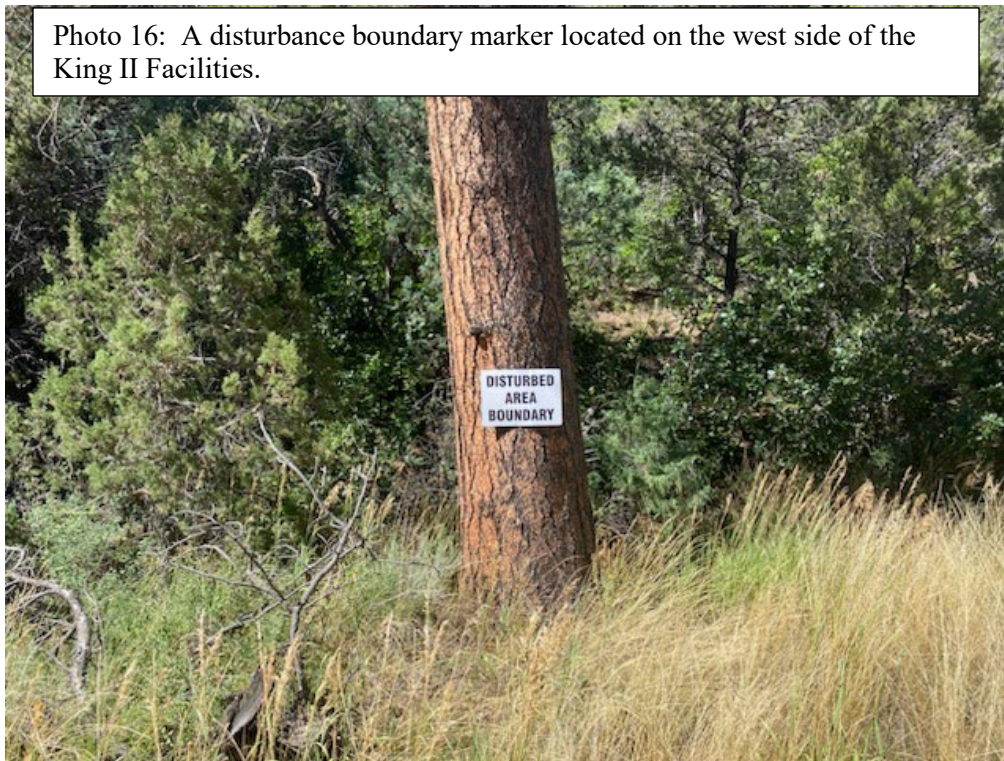
Number of Complete Inspections this Fiscal Year: 1



Photo 15: A Ditch located in-between the URDA and the LRDA.



Photo 16: A disturbance boundary marker located on the west side of the King II Facilities.



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## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

### AVAILABILITY OF RECORDS

#### PERMIT RECORDS

DRMS Permit	RN-8
Permit Application w/Revisions	OK
Findings Document	RN-8
Insurance Certificate	Exp. Sep. 2024
Bond Document	OK
Phased Bond Release	NA
Documents/Findings	
Air Emission Permits	09LP0202F
County Special Use Permits	OK
UG Mining Landowner Notification	OK
Subsidence Monitoring Reports	OK Oct. 2022
Subsidence Monitoring Data	OK
Rill & Gully Survey	NA

Vegetation Monitoring Data	NA
Specific Variance Approvals	NA
Annual Reclamation Reports	2022
Midterm Review Documents	MT-7
DRMS/OSM Inspection	Up to date, Aug.
Reports/Enforcement Actions (3 Years)	2023
Transfers/Succession of Operator	OK
Temporary Cessation Notification	NA
Reclamation Cost Estimate	OK RN-8

#### CERTIFICATIONS

Pond Certifications	Ok
Annual Certifications for Impoundments	King II Sep.2022
Fill Certifications for Excess Spoil or Underground Development Waste	2 <sup>nd</sup> Q 2023
• Quarterly Inspections	2 <sup>nd</sup> Q 2023
• Compaction Testing	Annual/2022
• Final Certification	NA
Coal Processing Waste Banks	NA
Haul Road Certifications	OK
Access Road Certifications	OK

#### HYDROLOGIC RECORDS

NPDES Permit	COG850001
NPDES Records	2 <sup>nd</sup> Q 2023
Stormwater Management Plan	2017 OK
SPCC Plan	OK
MSHA Pond Inspections	1 <sup>st</sup> Q 2023
	NA
State Engineer's Pond Inspection	
Quarterly Pond Inspections	2 <sup>nd</sup> Q 2023
Annual Hydrology Reports	2022
• Ground Water Monitoring	OK
• Surface Water Monitoring	OK
• Spring & Seep Monitoring	NA
• Mine Water Discharge Monitoring	NA
• Mine Inflow Study	NA
• Water Consumption Records	OK
Well Permits	OK

#### BLASTING RECORDS

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

#### ADDITIONAL RECORDS (specify)


#### COMMENTS:

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