

STATE OF
COLORADO

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

New Horizon Mine, C-1981-008, September Inspection Report

1 message

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

Fri, Oct 6, 2023 at 12:47 PM

To: "Tennyson, Tony (Colowyo)" <ttennyson@tristategt.org>

Good afternoon Tony,

Attached is the Division's report for the complete inspection of the New Horizon Mine conducted on September 25, 2023. Please feel free to contact me if you have any questions.

Sincerely,

Clayton Wein

Environmental Protection Specialist



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

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New Horizon Mine, C-1981-008, September Complete Inspection Report_CCW.pdf

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PERMIT INFORMATION

Permit Number: C-1981-008 Mine Name: New Horizon Mine Operator: Elk Ridge Mining and Reclamation, LLC Operator Address: Mr. Tony Tennyson P.O. Box 628 27646 West 5th Avenue Nucla, CO 81424	County: Montrose Operation Type: Surface Permit Status: Active Ownership: Private
	Operator Representative Present: Mindy Sickles
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: September 25, 2023 Inspection Start Time: 11:30 Inspection End Date: September 25, 2023 Inspection End Time: 12:45		Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Clear	
Joint Inspection Agency: None		Joint Inspection Contacts: None	
Post Inspection Agency: None		Post Inspection Contacts: None	
Inspector(s): Clayton Wein	Inspector's Signature: <i>Clayton Wein</i>		Signature Date: 10/6/2023

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

R - Backfill & Grading

N - Excess Spoil and Dev. Waste

N - Explosives

Y - Fish & Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - Roads

R - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

N - Support Facilities On-site

Y - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

R - Topsoil

COMMENTS

This report documents the Division's observations taken during a complete inspection of the New Horizon Mine conducted on September 25, 2023. Clayton Wein of the Division conducted the inspection. Elk Ridge Mining and Reclamation (ERMR) was represented during the inspection by Mindy Sickles. The weather was clear with a temperature of 73 degrees F. The Ground Conditions were dry.

No maintenance items were identified as a result of this inspection.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The records for the New Horizon Mine are located at the mine office in Nucla, CO. The records were well kept and up to date with the exception of the Insurance Certificate. The Insurance Certificate in the records was expired. ERMR has submitted to the Division a new Insurance Certificate that expires in 2024. The operator was working on adding the new Insurance Certificate to the records as the Division was concluding its inspection. Please see the Availability of Records Form attached to the end of this document for more details.

BACKFILL and GRADING – Rule 4.14

Contemporaneous Reclamation 4.14.1; Approximate Original Contour 4.14.2; Highwall Elimination 4.14.1(2)(f); Steep Slopes 4.14.2, 4.27; Handling of Acid and Toxic Materials 4.14.3; Stabilization of Rills and Gullies 4.14.6:

During the inspection the Division observed backfill and grading activity associated with reclaiming the southeast portion of section 36. The operator had completed spreading Bench 1 material and topsoil on the south side of the Johnson Access road (Photo 1 and 2). The reclaimed area was stable with no indications of erosional features. The reclaimed topography was gently sloping to the northeast/east. Seeding is scheduled for all reclamation work in Section 36 this fall. Machinery was actively taking material to the northern portion of the disturbed area and stockpiling soil to be spread and contoured (Photo 3 and 4). Areas north and east of the Johnson Access Road were stable with no erosional concerns identified.

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;

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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 12 was dry during the inspection. The embankment was stable with vegetative cover (Photo 5). The outlet for the pond was clear of debris. There were no erosional issues observed. Pond 13 was impounding water from both culvert inlets. No water was flowing through the riprap lined inlet. The level of water in the pond was at the primary discharge outlet. Discharge was occurring. The pond's embankment was vegetated and stable with no erosion (Photo 6). Pond 15 was dry (Photo 7). The inlet and outlet for the pond were observed to be unobstructed. The embankments were stable with minor rills on them. These rills have been documented in previous Division inspection reports. The rills are not large enough to affect the embankments' stability. Some vegetative growth was observed on the embankments. Pond 16 was also dry during the inspection. The inlet and outlet for the pond were clear. The pond's embankment was stable with vegetation. There were no indications of erosion. The SP-2 stock pond was holding water at the time of the inspection (Photo 8). There was no discharge occurring. The outlet was observed to be clear of debris. SP-2's embankment was vegetated and stable. No concerns of erosion were noted. Pond 018 is located to the south of the mine office and shop. The pond was dry. The discharge outlet was unobstructed. Pond 018's embankment was stable with vegetative cover. There were no erosional features identified.

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 Johnson Access road was approved in August 2023. The access road will remain as a permanent feature to allow access from BB Road to Pond 013. During the inspection the access road had been completed (Photo 9). The road was stable with no erosional features. The culverts for the road were clear of debris and dry. The access road to Pond 018 was stable with minor ruts. The ruts were created in the spring from large trucks. The ruts on the access road do not impede the ability to reach Pond 018.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

IC-1 is located in the north and northeast corner of Section 1. The irrigated field was stable with vegetative cover. There were no erosional features observed.

DP-11, DP-14 and DP-15 are located in the southern portion of Section 36. The dryland pastures were vegetated and stable. There was no erosional features identified.

IP-8, IP-9 and IP-11 are located in the southwestern area of Section 36. The irrigated pastures were covered with vegetation and stable. No erosional features were seen.

DP-10 and DP-18 are located roughly near the center of Section 36. The dryland pastures were stable with vegetative cover. There were no indications of erosion.

IP-10 is located in the northern portion of Section 6. The irrigated pasture was covered with vegetation and stable. There were no major erosional concerns identified. There was several sets of ruts created by the landowner's equipment (Photo 10). The ruts were observed to be near or just outside of the permit boundary for IP-10. The operator plans to survey this area in the near future to see if the ruts are within the permitted boundary. The Division recognizes that the operator did not create the ruts and will not consider the operator responsible for

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repairs of the ruts.

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 piles 11A (Photo 11) and 11B are located on the south side of IC-1. The topsoil piles were stable with vegetative cover. There were no indications of erosional features. There was no loss of topsoil resource observed.

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: The reclamation southwest of the Johnson Access Road.



Photo 2: The reclamation west of the Johnson Access Road.



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Photo 3: The reclamation northeast of the Johnson Access Road.



Photo 4: The reclamation work east of the Johnson Access Road.



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Photo 5: Pond 012.



Photo 6: Pond 013.



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Photo 7: Pond 015 with minor rills on embankments.

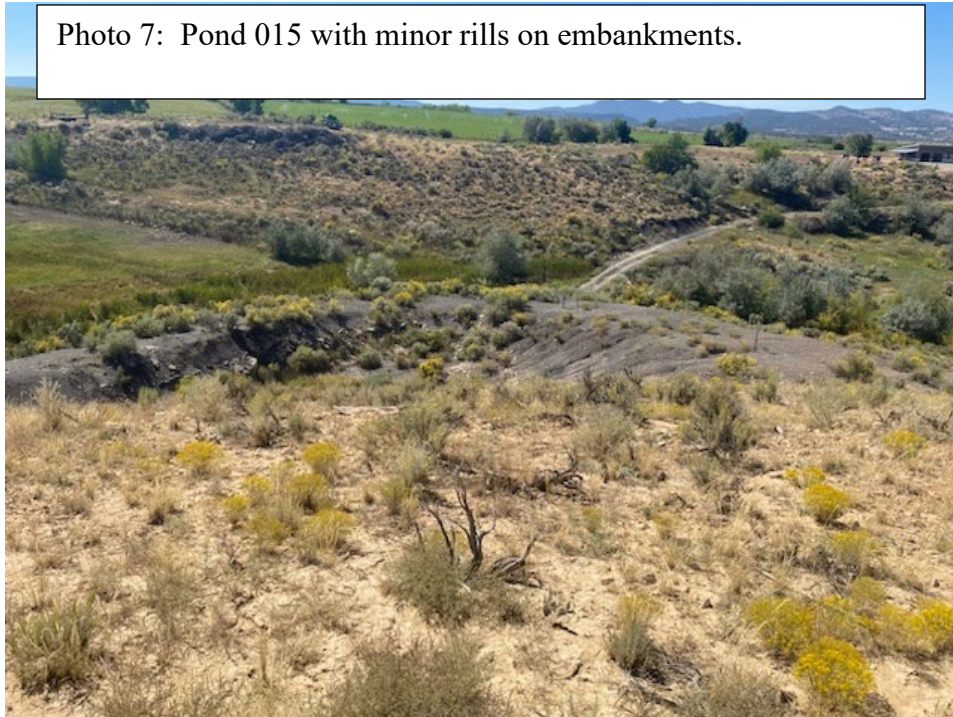


Photo 8: The SP-2 Stock Pond.



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Photo 9: The new Johnson Access Road.



Photo 10: The ruts identified near IP-10.



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Photo 11: Topsoil Pile 11A.



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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	RN-8 near completion
Permit Application w/Revisions	Ok
Findings Document	RN-7/SL-25
Insurance Certificate	Exp. Aug.2024
Bond Document	RN-7
Phased Bond Release	SL-25
Documents/Findings	
Air Emission Permits	Ok
County Special Use Permits	Ok
UG Mining Landowner Notification	NA
Subsidence Monitoring Reports	NA
Subsidence Monitoring Data	NA
Rill & Gully Survey	NA
Vegetation Monitoring Data	2022 ARR/SL-25
Specific Variance Approvals	NA
Annual Reclamation Reports	2022
Midterm Review Documents	MT-7
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Up to Aug. 2023
Transfers/Succession of Operator	Ok 2016
Temporary Cessation Notification	NA
Reclamation Cost Estimate	RN-7
CERTIFICATIONS	
Pond Certifications	OK
Annual Certifications for Impoundments	Ok 2022
Fill Certifications for Excess Spoil or Underground Development Waste	NA
• Quarterly Inspections	NA
• Compaction Testing	NA
• Final Certification	NA
Coal Processing Waste Banks	NA
Haul Road Certifications	Ok
Access Road Certifications	NA

HYDROLOGIC RECORDS

NPDES Permit	*2021
NPDES Records	Up to Aug. 2023
Stormwater Management Plan	Ok 2019
SPCC Plan	NA
MSHA Pond Inspections	NA
State Engineer's Pond Inspection	NA
Quarterly Pond Inspections	2 nd Q. 2023
Annual Hydrology Reports	2022
• Ground Water Monitoring	Ok
• Surface Water Monitoring	OK
• Spring & Seep Monitoring	OK
• Mine Water Discharge Monitoring	Ok
• Mine Inflow Study	NA
• Water Consumption Records	OK
Well Permits	OK

BLASTING RECORDS

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

ADDITIONAL RECORDS (specify)

COMMENTS: * ERMR has applied for CDPS permit (3/9/2021)

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