



**PERMIT INFORMATION**

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

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> December 11, 2023 <b>Inspection Start Time:</b> 11:45 <b>Inspection End Date:</b> December 11, 2023 <b>Inspection End Time:</b> 13:15		<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> 12/26/2023		

**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 &amp; Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish &amp; 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

R - 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. The inspection was conducted on December 11, 2023. The inspection was conducted by Clayton Wein of the Division. The operator, Elk Ridge Mining and Reclamation (ERMR), was represented during the inspection by Mindy Sickles. The weather was clear starting with a temperature of 37° F. The ground conditions were dry.

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

The records for the mine are located at the Mine Office in Nucla Colorado. The records were in 3 ring binders and well kept. A few records were identified that needed to be updated. Those records included; **the Division's September and October 2023 Inspection Reports, the 2<sup>nd</sup> and 3<sup>rd</sup> quarter 2023 Pond Inspection Reports, and the 2023 Annual Pond Certification Report.** Please update these records as soon as possible. For more details, please see the Availability of Records Form attached to the end of this report.

**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, much of the reclamation work located within Section 36 had been completed (Photo 1). Only the eastern most portion required the completion of spreading and grading topsoil. The remainder of the reclamation had been backfilled with Bench 1 material and then covered with topsoil. The area had been graded to the approved post-mining contours. There were no indications of differential settling or erosion. The area adjacent and east of the Johnson Access Road was actively being seeded during the inspection (Photo 2). Discussions with the operator's representative indicated that the last of the grading and seeding would likely occur in the following couple of weeks.

**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:

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

Pond 13 was impounding water during the inspection (Photo 3). The inlets for the pond were clear of debris and functioning as designed. The pond's embankment was stable with vegetative cover. There were no erosional features identified. The outlet for Pond 13 was unobstructed and discharge was occurring.

Pond 12 was dry at the time of the inspection. There were no issue identified with the pond's inlet or outlet. The embankment was covered with vegetation and was stable.

Pond 15 was also dry. The pond's embankments were stable with vegetative cover. No new erosional features were noted. The small rills on the inside of the pond's embankments had not enlarged since the previous inspection (Photo 4). These rills have been documented in the Division's previous inspection reports.

Pond 16 was observed to be dry. The embankment for the pond was stable with vegetative cover. The inlet and outlet for the pond were clear of debris. No erosional concerns were identified.

The SP-2 Stock Pond was not holding any water in it during the inspection (Photo 5). The embankment was stable and covered with vegetation. The inlet to the pond and the outlet were unobstructed. There were no erosional features identified.

Pond 18 is located just south of the Mine office. The pond was dry at the time of the inspection (Photo 6). The inlet and outlet for the pond were observed to be clear of debris. The embankment was covered with vegetation and stable. There were no indications of erosional features.

#### 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 provides access to Pond 13 from BB Road. The road was stable with no erosional features observed (Photo 7). Culverts for the access road were unobstructed and the inlets and outlets for the culverts were clear (Photo 8).

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

The IC-1, irrigated cropland is located on the southwest corner of the intersection of 2700 Road and BB Road (Photo 9). The field was stable and covered with vegetation. There were no indications of differential settling or erosion observed.

Irrigated pastures IP-8, IP-9 and IP-11 are located north of BB Road and west of 2700 Road. The pastures were also observed to be stable with vegetative cover. There were no erosional features identified.

Dryland pastures DP-10, DP-11, DP-14 and DP-18 are also located in Section 36. The dryland pastures were observed to be covered with vegetation and there were no indications of erosion. The pastures had no indications of settling or instability.

IP-10 is an Irrigated Pasture located within the land on the southeast corner of the BB Road and 2700 Road intersection. The irrigated pasture was stable and covered with vegetation. No erosional concerns were identified.

Dryland pastures DP-16, DP-17 and DP-19 are adjacent to the Mine Office. The pastures were stable with vegetative cover. No erosional features were identified.

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

**SIGNS AND MARKERS – Rule 4.02:**

Throughout the inspection of the New Horizon Mine, several mine identification signs were observed to be posted. These signs were located in unobstructed locations visible from BB Road and 2700 Road. The signs displayed the mine's permit number and contact information for the permittee.

**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 10) and 11B are located on the south side of IC-1. The topsoil piles were stable and had sufficient vegetative cover. There were no erosional concerns identified. The perimeter ditches were stable and vegetated. No loss of topsoil resource was observed.

Topsoil piles C, D and H are located by the Mine Office. The piles were also covered with vegetation and stable. There were no erosional features identified. The perimeter ditches were intact and no loss of topsoil resource was observed.

**DOCUMENTS RECEIVED: None**

**OTHER (SPECIFY): None**

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

**ENFORCEMENT ACTIONS/COMPLIANCE**

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

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

## **PHOTOGRAPHS**

Photo 1: A portion of the reclaimed area in Section 36.

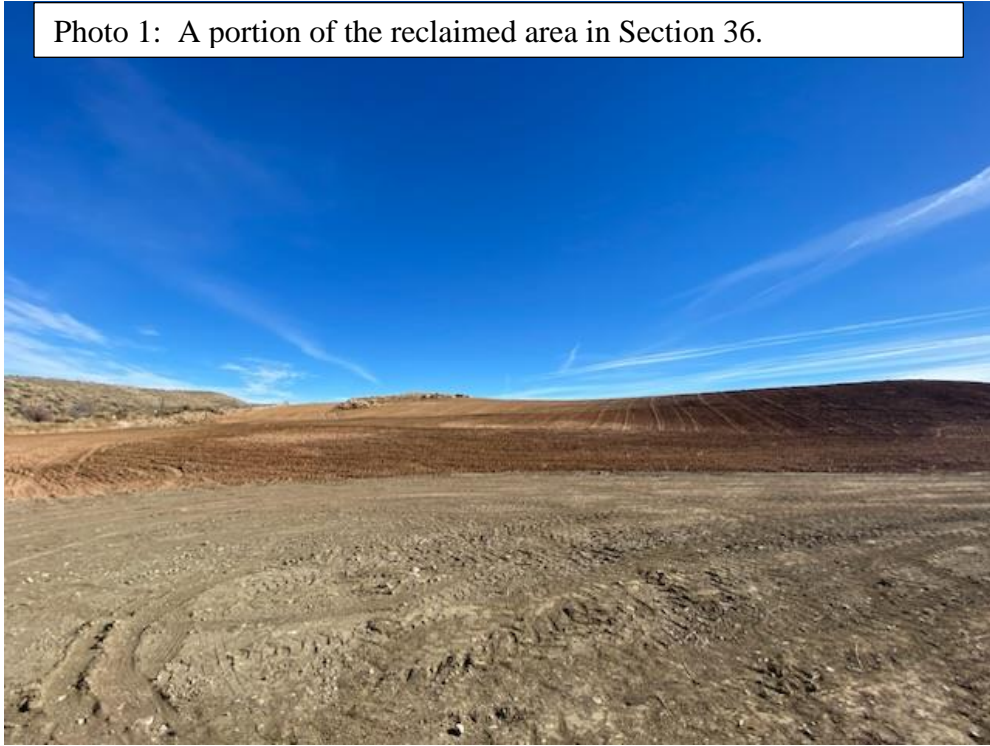


Photo 2: Reseeding taking place at the reclamation in Section 36.



Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Photo 3: Pond 13.



Photo 4: Pond 15.



Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

Photo 5: The SP-2 Pond.



Photo 6: Pond 18.



Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



Photo 7: The Johnson Access Road.



Photo 8: One of the Johnson Access Road Culverts.



Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

Photo 9: IC-1.



Photo 10: The 11A topsoil pile.



Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2



## AVAILABILITY OF RECORDS

### PERMIT RECORDS

DRMS Permit	RN-8 Docs being Signed
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	Up to Nov. 2023,
Reports/Enforcement Actions (3 Years)	<b>except Sep. and Oct. 2023</b>
Transfers/Succession of Operator	Ok 2016
Temporary Cessation Notification	NA
Reclamation Cost Estimate	RN-7
<b>CERTIFICATIONS</b>	
Pond Certifications	OK
Annual Certifications for Impoundments	<b>Needs 2023</b>
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	<b>Needs 3<sup>rd</sup> Q 2023</b>
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
<b>BLASTING RECORDS</b>	
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)

---

---

---

---