

December 28, 2023

Colorado Dept. of Health and Environment  
Water Quality Control Division  
4300 Cherry Creek Dr. South  
Denver, CO 80246

**Re: Mountain Coal Company, LLC, West Elk Mine; Permit No. CO0038776 - Semi-Annual Stormwater Inspections**

To Whom it may Concern:

Mountain Coal Company, LLC (MCC) is required by the Colorado Discharge Permit System, Permit Number CO0038776 (the permit): Part I, Section H, 1. A. to conduct two comprehensive stormwater inspections for Outfalls 014, 019-043, 046-048, 050-051, 053-054, 056-062, 065-069, 071-104, 107, 117-119, 123-125 between March 21<sup>st</sup> and June 20<sup>th</sup> and again between September 21<sup>st</sup> and December 20<sup>th</sup> of each year. Part I, Section H, 1, E, states that during times of adverse weather conditions that prevent field inspections, permittee must document the basis of failure to inspect. Furthermore, in the same section, the permit states that, "conditions that are dangerous or create inaccessibility for personnel" as reasons for failure to inspect. Below is the reasoning for failure to complete Fall 2023 inspection requirement:

MCC and the surrounding local areas have experienced severe winter weather conditions in 2023 and have continues to battle ongoing snow and rainstorms fall months. This extreme weather has caused Highway 133 to wash out and limit vehicle access to the mine for some time. It also delayed MCC 's contractors in opening and repairing the mountain roads that access the mine ventilation boreholes (MVBs). For these reasons, a portion of the MVBs were not safely accessible for the Semi-Annual Stormwater Inspections. Attempts to reach the inspection areas and photo documentation of weather conditions were made and photo documentation is available upon request.

Please see the attached inspection forms for outfall Inspection information. Feel free to contact me for more information.

Sincerely,



Chase Hiatt  
Mine Engineer Tech

**Storm Water Management System  
Semi-Annual Inspection Form**

January 2022

Inspection Team Member(s) Chase Hiatt Date: 5-Dec  
Weather Conditions: Clear/Cloudy w/in 24hrs of storm event? no  
Inspectors' Initials: \_\_\_\_\_

Feature	Any Concerns observed?		Maintenance Repairs Needed?		Details of any Yes answers	Date
<b>Train Load Out (TLO)</b>	Select one		Select one			
Good Housekeeping	YES	NO	YES	NO		
Signs of spill/leaks	YES	NO	YES	NO		
Condition of berms	YES	NO	YES	NO		
Sed. Trap/ erosion Control	YES	NO	YES	NO		
Chemical Storage Areas	YES	NO	YES	NO		
<b>Main Mine Area</b>						
Good Housekeeping	YES	NO	YES	NO		
Silo area/signs of erosion	YES	NO	YES	NO		
Coal Stockpile area/ Signs of erosion	YES	NO	YES	NO		
GOB pile/ signs of erosion	YES	NO	YES	NO		
RPE Area	YES	NO	YES	NO		
Storage Benches	YES	NO	YES	NO		
Condition of berms	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>Buried Utilities</b>						
Good Housekeeping	YES	NO	YES	NO		
Signs of Erosion	YES	NO	YES	NO		
Vegetative Cover	YES	NO	YES	NO		
Mine Water Management	YES	NO	YES	NO		
Equipment Storage Area	YES	NO	YES	NO		
<b>Shaft Exhaust Fan (Sly Gulch)</b>						
Good Housekeeping	YES	NO	YES	NO		
Signs of Erosion	YES	NO	YES	NO		
Vegetative Cover	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>Fuel and Lube Bay</b>						
Good Housekeeping	YES	NO	YES	NO		
Signs of spill/ leaks	YES	NO	YES	NO		
Oil/ Water separator	YES	NO	YES	NO		
<b>Mobile Refuelers</b>						
Signs of spills/ leaks	YES	NO	YES	NO		
Fuel Storage area	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>Waste Storage Area</b>						
Good Housekeeping	YES	NO	YES	NO		
Signs of Spills/ Leaks	YES	NO	YES	NO		
Fuel Storage Area	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		

**Storm Water Management System**  
**Semi-Annual Inspection Form**

January 2022

Feature	Any Concerns observed?		Maintenance Repairs Needed?		Details of any Yes answers	Date
<b>Auxiliary Generator Station</b>						
Good Housekeeping	YES	NO	YES	NO		
Fuel Storage Area	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>Surface Shop</b>						
Good Housekeeping	YES	NO	YES	NO		
Used Oil Storage Area	YES	NO	YES	NO		
Signs of Spills/ Leaks	YES	NO	YES	NO		
Oils/ Water separator	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>Inactive Mining Areas</b>						
<b>Inspect Areas for signs of:</b>						
Erosion	YES	NO	YES	NO		
Poor Vegetation	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>Undisturbed Land</b>						
<b>Inspect Areas for signs of:</b>						
Erosion	YES	NO	YES	NO		
Stormwater Discharge offsite	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>MVBs</b>						
<b>Inspect pads for signs of:</b>						
Condensate	YES	NO	YES	NO		
Erosion	YES	NO	YES	NO		
Stormwater Discharge offsite	YES	NO	YES	NO		
Other:	YES	NO	YES	NO		
<b>Records Review</b>						
Spill reports: last 6 months	YES	NO	YES	NO		
Training records- SPCC/SWMP	YES	NO	YES	NO		
Qtr Inspection Forms (Exhibit 66)	YES	NO	YES	NO		
Semi-Annual SWMP Inspection forms	YES	NO	YES	NO		
Copies of Annual Reports: Submitted	YES	NO	YES	NO		
Emergency Contact Info Posted	YES	NO	YES	NO		
Any changes that initiates SWMP change?	YES	NO	YES	NO		

**Storm Water Management System**  
**Semi-Annual Inspection Form**

January 2022

Feature	Any Concerns observed?		Maintenance Repairs Needed?		Details of any Yes answers	Date
<b>Ponds</b>						
Liners	YES	NO	YES	NO		
Vegetation	YES	NO	YES	NO		
Sediment Level	YES	NO	YES	NO		
<b>Sediment Traps</b>						
Sediment Level	YES	NO	YES	NO	Trap at bottom of Silo needs clear	12/15//23

Additional Comments:
Attempted to clean, to much ice was present. Will clean once weather is better.

I certify this report is true, accurate, and complete, to the best of my knowledge and belief.

Chase Rath  
Signature

Eng. Tech 12/28/2023  
Title Date

Jessica Wilcove  
Signature Duly Authorized Representative

Engineering Manager 12/28/2023.  
Title Date



Storm Water Management System  
Semi-Annual Inspection Form

Inspection Team Member(s):		Chase Hiatt		Date: 9/22-10/12-11/10-11/14-11/21-12/5				
Weather Conditions:		Clear/Cloudy		w/in 24 of Storm event? no				
Inspector's Initials:								
Feature	Location	Time	Is the Outfall discharging at the time of inspection?	Is there a presence of floating materials, visible oil sheen, discoloration, turbidity, odor, etc. in the stormwater discharge?	Is there a presence of illicit discharges or other non-permitted discharges such as domestic wastewater, noncontact cooling water, or process wastewater?	Are the control measures effective?	Is maintenance needed in and around stormwater outfalls, including flow dissipation measures to prevent scouring? If so, fill in the Control Measures Requiring Maintenance	Per the inspectors judgement, is the site in compliance with the terms and Condition of the Permit?
Outfall 005	MB-3	12:42p	YES	NO	YES	NO	YES	NO
Outfall 007	W/WTP	2:23p	YES	NO	YES	NO	YES	NO
Outfall 008	MB-4	1:30p	YES	NO	YES	NO	YES	NO
Outfall 009	MB-5	9:58a	YES	NO	YES	NO	YES	NO
Outfall 011	Sly Gulch Fan	1:12p	YES	NO	YES	NO	YES	NO
Outfall 012	Dr. Crk Shaft	10:58a	YES	NO	YES	NO	YES	NO
Outfall 014	SG-1	1:16p	YES	NO	YES	NO	YES	NO
Outfall 015	RPE Pond	12:35p	YES	NO	YES	NO	YES	NO
Outfall 017	Deepwell pond	1:15p	YES	NO	YES	NO	YES	NO
Outfall 019	NSSA Pond	10:03a	YES	NO	YES	NO	YES	NO
Outfall 020	CSL-Y-3	11:00a	YES	NO	YES	NO	YES	NO
Outfall 021	CSL-Y-4	11:03a	YES	NO	YES	NO	YES	NO
Outfall 022	CSL-Y-5	11:04a	YES	NO	YES	NO	YES	NO
Outfall 023	CSL-Y-6	11:06a	YES	NO	YES	NO	YES	NO
Outfall 024	CSL-Y-7	11:09a	YES	NO	YES	NO	YES	NO
Outfall 025	CSL-Y-8	11:20a	YES	NO	YES	NO	YES	NO
Outfall 026	CSL-Y-9	11:30a	YES	NO	YES	NO	YES	NO

# Storm Water Management System Semi-Annual Inspection Form

Outfall 027	CSLY-11	11:32a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 028	CSLY-13	11:33a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 029	CSLY-14	11:35a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 030	CSLY-17	11:38a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 031	CSLY-19	11:40a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 032	CSLY-21	11:48a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 033	CSLY-22	12:00p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 034	CSLY-23	12:02p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 035	TLO	12:05p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 036	E1-11.5	11:05a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 037	E2-9	12:28p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 038	E3-06	10:20a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 039	E4-15	1:13p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 040	E4-16	12:20p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 041	E4-17	1:01p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 042	E4-18	12:50p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 043	E5-1, 2, 3	2:01p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 046	E5-4	2:02p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 047	E5-5	2:03p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 048	E5-6, 7	2:04p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 050	E5-8	2:05p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 051	E5-9, 10	2:06p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 053	E5-11	2:07p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 054	E5-12,13	2:08p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 056	E5-14	2:09p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 057	E5-15		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 058	E5-16		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 059	E5-17	1:08p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 060	E5-18		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 061	E5-20		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 062	E6-1, 2, 3	10:15a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 065	E6-4	10:16a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 066	E6-5	10:17a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES
Outfall 067	E6-6	10:18a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES



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Outfall 068	E6-7	10:19a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 069	E6-8, 9	10:20a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 071	E6-10	10:21a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 072	E6-11		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 073	E6-12		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 074	E6-13		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 075	E6-14		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 076	E7-1	11:20a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 077	E7-2	11:21a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 078	E7-3	11:22a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 079	E7-4	11:24a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 080	E7-5	11:25a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 081	E7-6	11:26a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 082	E7-7	11:27a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 083	E7-8		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 084	E7-9		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 085	E7-10		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 086	E7-11		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 087	E7-12		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 088	E8-1	8:20a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 089	E8-2	8:21a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 090	E8-3	8:22a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 091	E8-4	8:23a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 092	E8-5	8:24a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 093	E8-6	8:25a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 094	E8-7	8:26a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 095	E8-8	8:27a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 098	SS1-1	9:30a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 099	SS1-2	9:31a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 100	SS1-3	9:32a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 101	SS1-4	9:33a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 102	SS1-5	9:34a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 103	SS1-6	9:35a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 104	SS1-7	9:36a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO



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Outfall 117	SS3-1&2	11:34a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 118	SS3-3	11:36a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 123	SS4-1&2	11:45a	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Outfall 124	SS4-3	12:00p	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO

Control Measures Requiring Maintenance:

Date Observed	Location	Control Measure	Maintenance Required	Date Complete
	Outfall 057		Weather prohibited inspection for fall 2023	
	Outfall 058		Weather prohibited inspection for fall 2023	
	Outfall 060		Weather prohibited inspection for fall 2023	
	Outfall 061		Weather prohibited inspection for fall 2023	
	Outfall 072		Weather prohibited inspection for fall 2023	
	Outfall 073		Weather prohibited inspection for fall 2023	
	Outfall 074		Weather prohibited inspection for fall 2023	
	Outfall 075		Weather prohibited inspection for fall 2023	
	Outfall 083		Weather prohibited inspection for fall 2023	
	Outfall 084		Weather prohibited inspection for fall 2023	
	Outfall 085		Weather prohibited inspection for fall 2023	
	Outfall 086		Weather prohibited inspection for fall 2023	
	Outfall 087		Weather prohibited inspection for fall 2023	

I certify this report is true, accurate, and complete, to the best of my knowledge and belief.

Signature		Title	Eng. Tech	Date	12/28/2023
Signature		Title	Engineering Manager	Date	12/28/2023
Signature		Title		Date	