

**STATE OF
COLORADO**

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

New Horizon 2 Mine February Inspection Report

1 message

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

Mon, Feb 26, 2024 at 2:16 PM

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

Cc: Lucas West - DNR <lucas.west@state.co.us>

Good afternoon Tony,

Attached is my inspection report from the complete inspection of the New Horizon Mine. The inspection was conducted on February 14, 2024. 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, February Complete Inspection Report_CCW.pdf
1017K



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: February 14, 2024 Inspection Start Time: 12:25 Inspection End Date: February 14, 2024 Inspection End Time: 13:35		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: 2/26/2024		

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

R - 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

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 taken by the Division during a complete inspection of the New Horizon Mine. The inspection was conducted by Clayton Wein of the Division on February 14, 2024. The operator, Elk Ridge Mining and Reclamation, LLC (ERMR), was represented during the inspection by Mindy Sickles. The weather was clear with a temperature of 47° F. The ground conditions were dry. Small amounts of snow were seen in the shade on steep north facing slopes.

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 for the mine were well kept and up to date. Please see the Availability of Records Form attached to the end of this report 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:

ERMR completed backfilling and grading, as well as, topsoil replacement and seeding of 85.5 acres at the end of 2023. The land is located in the southern portion of section 36 on the north side of BB Road. There are two parcels of reclamation divided in the middle by the Johnson Access Road. The reclamation on the western side of the Johnson Access Road gently sloped up to the west and south (Photo 1). The reclamation was stable and there were no erosional features observed. No indications of differential settling were identified. The second parcel of reclamation is east of the Johnson Access Road (Photo 2). The reclamation slopes gently to the east and a small portion slopes up to the north. This portion of the reclamation was also stable and had no indications of erosional features. No signs of differential settling were observed.

FISH and WILDLIFE – Rule 4.18:

During the inspection, several sets of tracks from deer were observed on the new reclamation in section 36. Other signs, such as scat, were observed around the sediment ponds.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 3

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 12 was observed to be dry. The embankment for the pond was stable with vegetative cover. The outlets for the pond were clear of debris. A small amount of snow was observed on the north facing embankment of the pond.

Pond 13 was impounding water during the inspection. Discharge from the pond was occurring. The outlet for the pond was clear of obstructions (Photo 3). The embankment for pond 13 was vegetated and stable. No erosional concerns were noted. The inlet pipes for the pond were also clear of debris.

Pond 15 was observed to be dry (Photo 4). The embankments for the pond were stable with minor rills. These rills have been noted on the interior of the embankments of the pond in previous Division inspections. The rills had not enlarged. The outlet for the pond was observed to be unobstructed.

Pond 16 was also dry at the time of the inspection. The inlet and outlet for the pond were clear of debris. The embankment of the pond was stable and covered with vegetation.

Pond 18 was not holding any water during the inspection (Photo 5). The inlet and outlet for the pond were clear. The pond's embankment was vegetated and stable. No erosional features were observed.

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 dry and stable. There were no ruts or erosional features on the road. The culverts underneath the access road were clear of debris.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

Irrigated pastures IP-8, IP-9 and IP-11 are located to the north of BB Road and west of 2700 Road. The pastures were also observed to be stable and covered with vegetation. No erosional features identified.

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

Irrigated cropland IC-1 is located on the southwest corner of the intersection of 2700 Road and BB Road. The field was stable with vegetative cover. There were no observed signs of differential settling or erosion.

Irrigated Pasture IP-10 is located within 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. These pastures were stable with vegetative cover. No erosional features were observed.

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SUPPORT FACILITIES - Rule 4.04:

The remaining support facilities for the New Horizon Mine are located with the mine office in Nucla, CO. The shop, fuel storage area and bath house remain on-site. The operator is no longer storing fuels on-site. The pad for the area was stable with no erosional features. No spills or contaminated soils were observed.

SIGNS AND MARKERS – Rule 4.02:

Mine identification markers were observed posted on all entrances to the permit area. The signs displayed the permit number and contact information for both the permittee and the Division. Several other permit boundary markers were seen posted on the fences that mark the current permit boundary. All signs were observed to be posted in easily viewed areas. The entrance to the northwest permit area at the intersection of the Johnson Access Road and BB Road had a gate installed (Photo 6). Fencing along the southern portion of the Section 36 reclamation was also observed to be new.

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 7) and 11B are located to the south of IC-1. The topsoil piles were observed to be stable and covered with vegetation. No erosional concerns were identified. The perimeter berms were stable and vegetated. No loss of topsoil resource was observed.

The Topsoil piles C (Photo 12), D and H are located south of the Mine Office. These piles were covered with vegetation and stable. There were no erosional features observed. The perimeter berms were noted to be intact. No loss of topsoil resource was 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 western portion of the reclamation in Section 36. The photo was taken looking to the northeast.



Photo 2: The eastern Reclamation of Section 36. The photo was taken looking to west.



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Photo 3: The discharge outlet of Pond 13

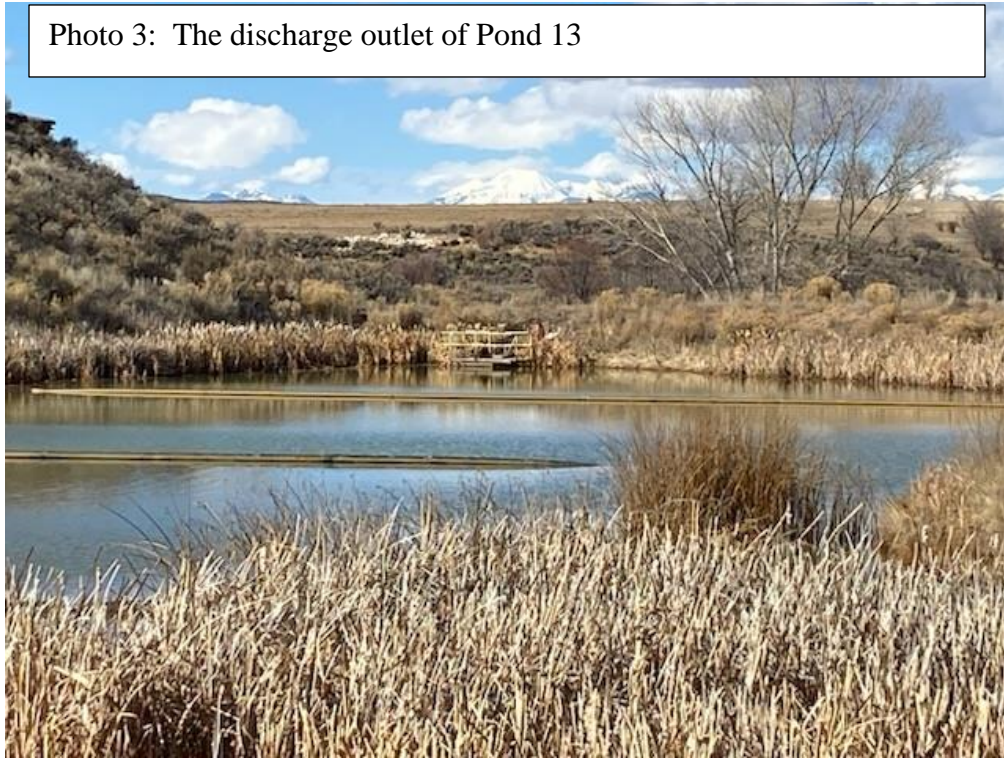


Photo 4: Pond 15.



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Photo 5: Pond 18.



Photo 6: The gate and mine ID sign at the entrance to the Johnson Access Road.



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Photo 7: The 11 A topsoil Pile



Photo 8: The C Topsoil pile south of the mine office.



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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	RN-8
Permit Application w/Revisions	Ok
Findings Document	RN-8/SL-25
Insurance Certificate	Exp. Aug.2024
Bond Document	RN-8
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	2023 ARR/SL-25
Specific Variance Approvals	NA
Annual Reclamation Reports	2023
Midterm Review Documents	MT-7
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Up to Jan. 2024
Transfers/Succession of Operator	Ok 2016
Temporary Cessation Notification	NA
Reclamation Cost Estimate	RN-8
CERTIFICATIONS	
Pond Certifications	OK
Annual Certifications for Impoundments	2023
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	4 th Q. 2023
Stormwater Management Plan	Ok 2019
SPCC Plan	NA
MSHA Pond Inspections	NA
	NA
State Engineer's Pond Inspection	
Quarterly Pond Inspections	4 th Q 2023
Annual Hydrology Reports	2023
• 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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