



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

March 1, 2024

Chris Walker
New Elk Coal Company, LLC
12250 Highway 12
Weston, CO
81091

RE: Lorencito Canyon Mine, Permit No. C-1996-084, Records Update Requirement

Dear Mr. Walker,

During a records check, completed as part of the Division of Reclamation, Mining and Safety (Division) Complete Inspection requirements, at the Lorencito Canyon Mine it was discovered that an 'As-built' or certified report confirming that an impoundment was constructed in accordance with the approved design was either never completed for Pond 005, or was never submitted.

In accordance with Rule 4.05.9(14), New Elk Coal Company (NECC) shall provide the Division a certified report indicating that Pond 005 was constructed in accordance with the approved design. Also, in accordance with Rule 4.05.9(14)(c), NECC shall maintain a record of that report at or near the mine site.

Please submit the certified report, or 'As-built' via Minor Revision to update Exhibit 15 in the PAP within 90 days of this notice (by May 30, 2024).

If you have any questions, please send me an email at amber.gibson@state.co.us, or call me at 720-836-0967.

Sincerely,

Amber M. Gibson
Environmental Protection Specialist, DRMS



Cc: John Terry, NECC
Jared Ebert, DRMS