



STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

C1980007, West Elk Mine, March Inspection Report

1 message

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

Wed, Mar 20, 2024 at 4:53 PM

To: "Aire, Michael E." <mair@archrsc.com>

Attached

Leigh Simmons
Environmental Protection Specialist



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

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INSP-REPORTC_C1981033_LDS_03192024045231.pdf


1351K



PERMIT INFORMATION

Permit Number: C-1980-007 Mine Name: West Elk Mine Operator: Mountain Coal Company, LLC Operator Address: Michael Aire 5174 Highway 133 Somerset, CO 81434	County: Delta, Gunnison Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: Jessica Wilczeck
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: March 13, 2024 Inspection Start Time: 13:00 Inspection End Date: Inspection End Time:		Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Snowing	
Joint Inspection Agency: None		Joint Inspection Contacts: 	
Post Inspection Agency: None		Post Inspection Contacts: 	
Inspector(s): Leigh Simmons	Inspector's Signature: 		Signature Date: March 20, 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

N - Backfill & Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

N - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

N - Roads

N - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

N - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

N - Topsoil

COMMENTS

This was a complete inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was wet and snowy, ahead of a major winter storm. The mine was active.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were available using a public access laptop in the small conference room at the mine office.

GENERAL MINE PLAN COMPLIANCE:

Longwall mining of the LWE12 panel was in progress, between crosscuts 17 and 16 on the headgate.

Development of the B North Shaft was complete.

Development of the B North Mains was in progress, by a team of contractors.

Development of the LWE16 headgate was in progress, by a West Elk development crew.

A second West Elk development crew was expected to begin work in the B-Seam when sufficient space made to allow another crew to work.

MCC continued to manage a large amount of coal fines, but no new fines were being generated from the coal mined in the LWE12 panel, which was not being washed. Existing fines were being blended into the coal loaded onto trains as conditions allow. MCC estimated that all the fines would be removed from the site by July.

The most recent legal hearing over the disputed Water Discharge Permit had taken place, but no verdict had been reached yet and there was no expected date for the verdict.

SUPPORT FACILITIES - Rule 4.04:

Progress had been made on the reconstruction design for silo 2. It was expected that an outer lining would be used. A Technical Revision for the project is anticipated.

A second Technical Revision is anticipated for a project at the Deer Creek shaft, in preparation for the construction of a ventilation shaft between the B- and E-Seam. Work on the project was expected to begin in May.

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 3

DOCUMENTS RECEIVED

N/A

OTHER (SPECIFY)

N/A

ENFORCEMENT ACTIONS/COMPLIANCE

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

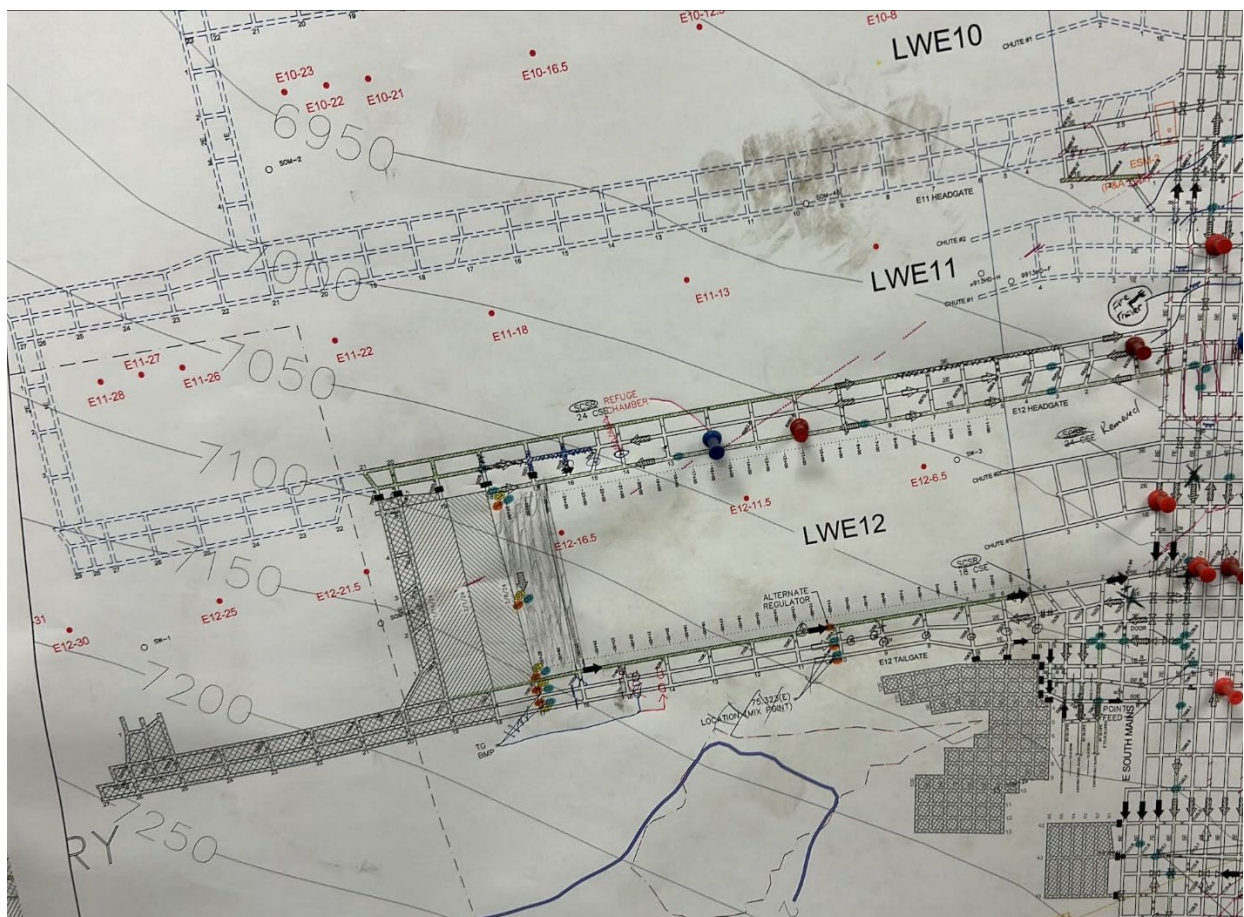
PHOTOGRAPHS

Figure 1: Mine map showing longwall progress in LWE12 panel

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Figure 4: Work ongoing at Box Canyon North well



Figure 5: Run-of-mine coal stockpile, with fines at western end (left of frame)

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Figure 6: Clean coal stockpile, with silos in background

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit Expires 7/31/26
Permit Application w/Revisions LF
Findings Document RN-8, 6/1/2022

Insurance Certificate Expires 7/31/24
Bond Document \$5M & \$10M
Phased Bond Release Thru SL-15
Documents/Findings
Air Emission Permits*2 09GU1382
 10GU1130
 13GU1462

County Special Use Permits N/A

UG Mining Landowner Yes
Notification
Subsidence Monitoring Reports Spring 2023
Subsidence Monitoring Data Q4 2023
Rill & Gully Survey N/A

Vegetation Monitoring Data SL-17
Specific Variance Approvals Stream buffer zone

Annual Reclamation Reports 2023
Midterm Review Documents MT-08
DRMS/OSM Inspection Through 2/24
Reports/Enforcement Actions (3 Years)

Transfers/Succession of Operator Yes
Temporary Cessation Notification N/A
Reclamation Cost Estimate RN-08

CERTIFICATIONS
Pond Certifications Yes
Annual Certifications for N/A
Impoundments

Fill Certifications for Excess
Spoil or Underground
Development Waste

- Quarterly Inspections Q4 2023
- Compaction Testing Q4 2023
- Final Certification N/A

Coal Processing Waste Banks Yes

Haul Road Certifications Yes

Access Road Certifications Yes

COMMENTS:

*1 The renewed CDPS permit has been issued but is the subject of ongoing litigation. The dispute was heard by the appeals court in February 2024, but no verdict has yet been reached.

*2 Please provide a copy of the most recent APCD permit, and remove any that are no longer active

HYDROLOGIC RECORDS

NPDES Permit Exp 9/30/24, *1
NPDES Records Through 2/24
Stormwater Management 2/23/2023
Plan

SPCC Plan 3/4/2022
MSHA Pond Inspections N/A
State Engineer's Pond 10/23/2018
Inspection
Quarterly Pond Inspections Q4 2023

Annual Hydrology Reports 7/23 for 2022
 water year
 Yes

- **Ground Water Monitoring**
- **Surface Water Monitoring** Yes
- **Spring & Seep Monitoring** Yes
- **Mine Water Discharge Monitoring** Yes
- **Mine Inflow Study** Yes
- **Water Consumption** Yes

Records Yes

BLASTING RECORDS

Blasting Publication N/A
Blasting Records (3 years) N/A
ATFE Explosives Permit Expires 6/1/2024
Blasting Variances N/A
Pre-Blast Surveys N/A

ADDITIONAL RECORDS (specify)

Monthly Air Quality Cert. Through 2/24

Rock Dust Maintenance Through 2/24

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