



STATE OF
COLORADO

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

C1980007, West Elk Mine, April Inspection Report

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Fri, Apr 26, 2024 at 4:22 PM

To: "Wilczek, Jessica" <jwilczek@archrsc.com>

Attached

Leigh Simmons
Environmental Protection Specialist



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

P 303.866.3567 x 8121 | C 720.220.1180 | F 303.832.8106

1313 Sherman Street, Room 215, Denver, CO 80203

leigh.simmons@state.co.us | <https://drms.colorado.gov>



INSP-REPORTC_C1980007_LDS_04262024030704.pdf


14901K



PERMIT INFORMATION

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

INSPECTION INFORMATION

Inspection Start Date: April 18, 2024 Inspection Start Time: 10:00 Inspection End Date: Inspection End Time:	Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Cloudy
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Leigh Simmons	Inspector's Signature:  Signature Date: April 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

N - Backfill & Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

R - Gen. Compliance with Mine Plan

N - Other

R - Processing Waste

R - 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 overcast but dry. 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. Details are given at the end of this report.

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:

Ongoing ditch and culvert maintenance around the facilities area was evident.

GENERAL MINE PLAN COMPLIANCE:

Longwall mining of the LWE12 panel was in progress, at around crosscut 13 on the headgate.

Development of the LWE16 headgate was in progress, at around crosscut 11.

Pillaring of the Sunset Mains South was in progress.

A crew was working in the B-seam mains, shoring up previous development work.

MCC continued to manage a large amount of coal fines distributed between temporary piles on the LRP, the clean coal stockpile, and the run-of-mine coal stockpile. The wash plant had been running to wash material produced from pillaring in the Sunset Mains South.

With respect to the disputed Water Discharge Permit, District Court Order 2022CV30061 was issued on April 4, 2024. Judge Steven Patrick dismissed Mountain Coal Company's complaint, meaning that the permit was upheld. Mountain Coal Company intended to appeal the decision. The deadline to file the appeal is May 23, 2024. Mountain Coal Company understands that the time for the appeal to be heard is not specified, but when the appeal verdict is reached it will be final, and however the disputed conditions of the permit are resolved, they will be enforced after 7 days.

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PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11**Drainage Control; Surface Stabilization; Placement:**

A temporary stockpile of mixed coal fines and waste was still in place on the top of the LRP. It was noted during the inspection that maintenance was required to ensure surface water could drain from the top of the pile as intended. MCC had their contractor Wells Excavating clean material from the edge of the pile immediately following the inspection and sent photographs documenting the work.

Newly generated processing waste had been temporarily stockpiled on the RPE. An estimated 30,000 tons of material was in the pile. A wide roadway had been left around the edge of the pile.

An estimated 100,000 tons of uncompacted waste was piled on the west side of the top of the RPEE. Water continued to drain from the material. It was anticipated that contractors with Wells would begin to work on the pile in May.

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 RPEE haul road was in excellent condition for the time of year, which is testament to the preparation work that Wells Excavating did to clean the ditch, grade the surface, and install water bars before the winter, as well as the fact that no attempt was made to travel the road in haul trucks through the winter.

SUPPORT FACILITIES - Rule 4.04:

No recent activity had occurred at the Deer Creek vent shaft. The facility was secured by two fences, each with a locked gate. A third fence secured the perimeter of the actual shaft itself. The site was clean and tidy, the pad was well graveled, with no ponded water. The drainage ditch around the outside of the pad was clear and protected with straw bales to control sediment leaving the facility.

The mobile flare was installed on the E3-6 MVB pad. The flare was running at the time of the inspection and had been running all through the winter. Mr. Polson completed the regular maintenance check of the equipment and collected a sample of the gas coming from the mine during the inspection. The maintenance procedures begin by checking the emergency stop function. With the flare off, water is drained from the separator and the generator is topped up with diesel (Mr. Polson estimated that it uses 15-20 gallons of fuel per day). The flare is re-started following an automated procedure, which involves pre-heating the burner using propane from a tank.

A bag sample of the influent gas was collected, following a standard procedure: The bag is attached to a small nipple near the control panel. A ball valve is opened to allow gas to flow through the nipple. The bag is flushed three times before the sample is collected. The bag is taken for analysis by gas chromatography at the lab next to wash plant. The bag sample is used to validate the in-line monitoring of the gas composition. Mr. Polson said that the gas has been consistent all winter. The in-line monitoring display showed 67.4% methane, 0% oxygen at the time of the inspection. The flare and all associated equipment were secure behind a chain-link fence. Outside of the fence, on the edge of the pad was a trailer marked “Fire Box”, containing water, fire extinguishers and hand tools.

The E3-6 pad itself was stable and compact, with no sign of ponded water. Topsoil was stockpiled and clearly marked. Straw bales had been placed to control sediment on many of the MVB pads and access roads and had been protected from grazing by wildlife and cattle using short sections of fencing.

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Equipment had been demobilized from the Box Canyon North well pad, the mud pit had been filled in and the earth work to regrade the pad and restore the roadside ditch had been completed. The concrete pad and pumphouse had not yet been constructed. At the time of the inspection work was in progress to install the pipeline from the well across the road.

DOCUMENTS RECEIVED

Photographs documenting the maintenance work on the LRP were emailed by Ed Ogrodny following the inspection, (included as Figures 27-30).

OTHER (SPECIFY)

N/A

ENFORCEMENT ACTIONS/COMPLIANCE

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

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PHOTOGRAPHS



Figure 1: Access to the Deer Creek Vent Shaft facility



Figure 2: Deer Creek Vent Shaft

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Figure 3: Hoist building



Figure 4: Graveled pad with positive drainage and sediment control

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Figure 5: Sediment control

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Figure 6: Mobile flare on E3-6 MVB pad



Figure 7: Fire box and topsoil pile

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Figure 8: MVB and separator



Figure 9: Flare permit ID

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Figure 10: Trailer mounted flare

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Figure 11: Trailer mounted generator



Figure 12: Secondary containment on generator trailer

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Figure 13: Propane for pre-heating flare



Figure 14: Bag sample collection

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Figure 15: RPEE. Topsoil stripping to approximately level of arrow is anticipated

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Figure 16: Uncompacted refuse on west side of pile, continuing to drain

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Figure 17: Drain on west side of pile

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Figure 18: Compacted face of RPEE, with top of haul road



Figure 19: RPE pond

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Figure 20: Processing waste temporarily stockpiled on RPE

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Figure 21: Site of Box Canyon North Well, showing regraded pad and restored road ditch



Figure 22: Cased borehole and stakes for concrete pad

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Figure 23: Work in progress to install water line



Figure 24: Fines temporarily stored on LRP

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Figure 25: Refuse temporarily stockpiled at west side of LRP



Figure 26: Clean coal stockpile from LRP

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Figure 27: Work in progress to improve drainage on LRP (Photo 1 of 4 from MCC)

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Figure 28: Work in progress to improve drainage on LRP (Photo 2 of 4 from MCC)

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Figure 29: Work in progress to improve drainage on LRP (Photo 3 of 4 from MCC)

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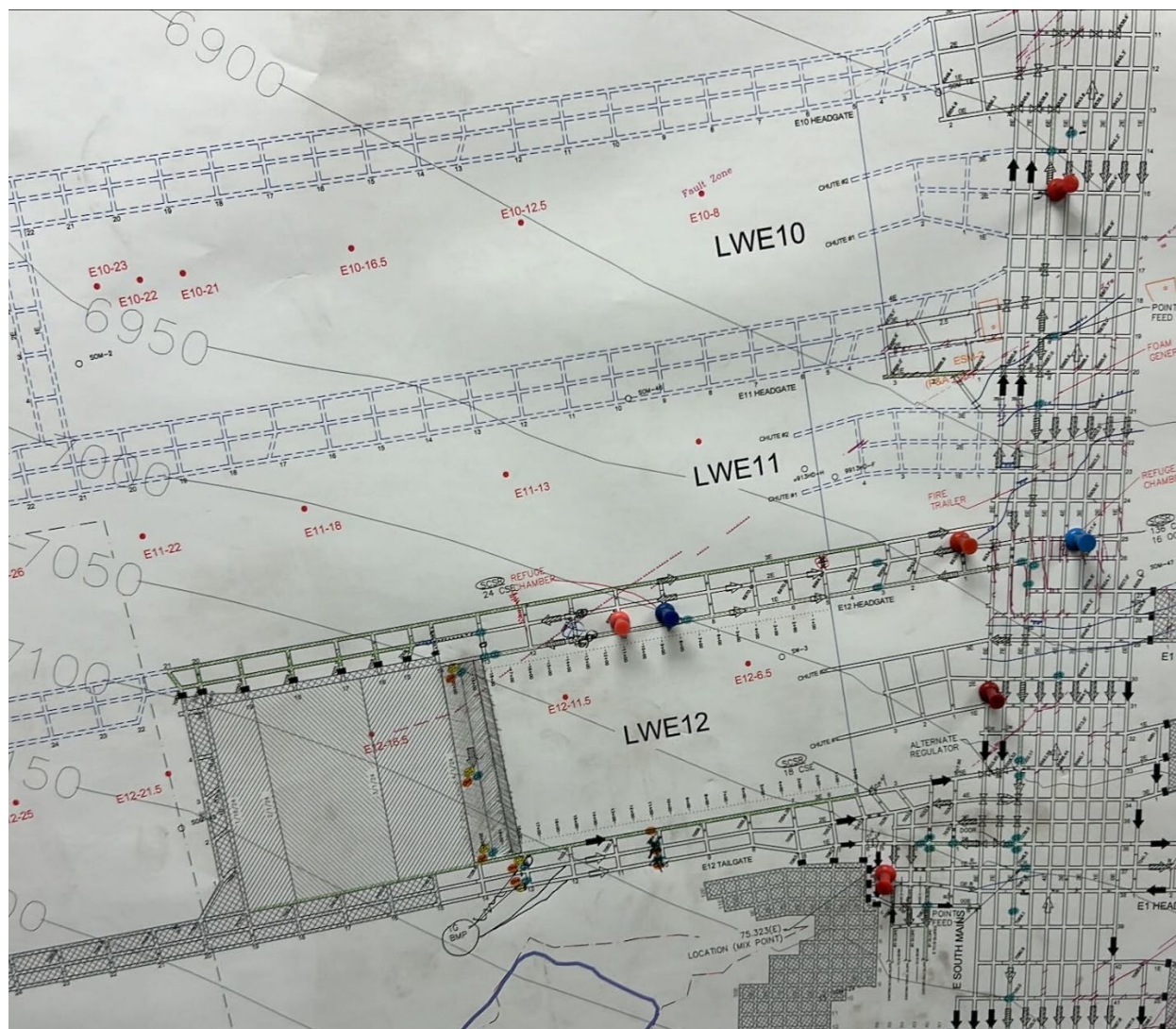
Number of Complete Inspections this Fiscal Year: 4



Figure 30: Work complete to improve drainage on LRP (Photo 4 of 4 from MCC)

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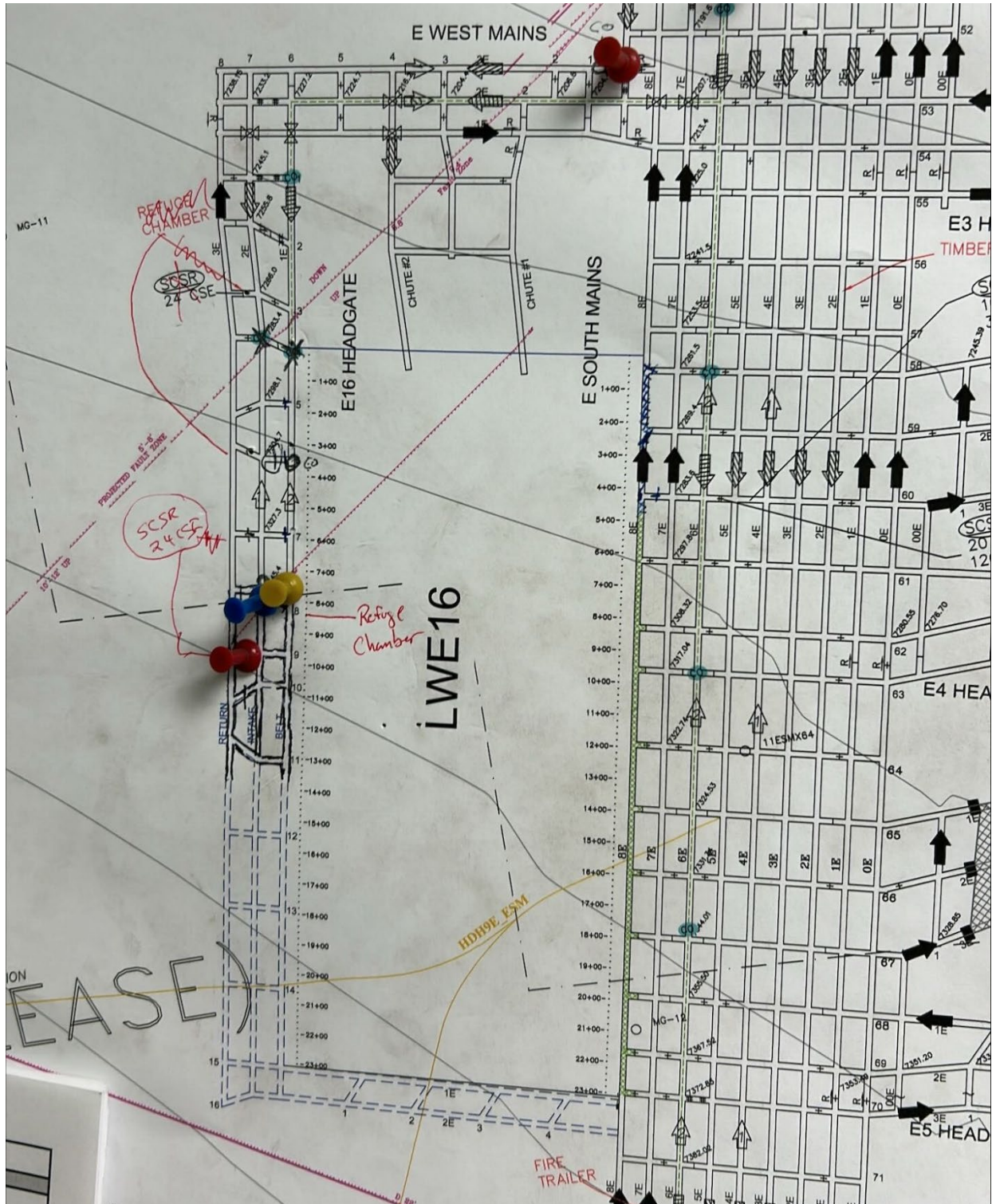


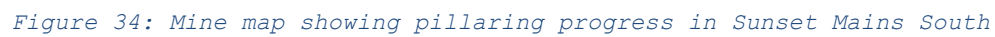
Figure 32: Mine map showing development progress in LWE16

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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-16
Documents/Findings
Air Emission Permits*2 09GU1382
 10GU1130
 13GU1462

County Special Use Permits N/A

UG Mining Landowner Notification Yes
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 3/24
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 district court verdict on the disputed CDPS permit has been issued but is expected to be appealed.

*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 3/24
Stormwater Management Plan 2/23/2023

SPCC Plan 3/4/2022
MSHA Pond Inspections N/A
State Engineer's Pond Inspection 10/23/2018
Quarterly Pond Inspections Q1 2024

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
Well Permits 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 4/24

Rock Dust Maintenance Through 3/24

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