



STATE OF  
COLORADO

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

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## C1980007, West Elk Mine, May Inspection Report (OSMRE oversight)

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

Tue, Jun 4, 2024 at 12:48 PM

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

Cc: "Monroy, Andrew E" <amonroy@osmre.gov>, "Mackinnon, Daniel" <dmackinnon@osmre.gov>

All,

The DRMS inspection report from the May 22, 2024 partial inspection of the West Elk Mine is attached. Please let me know if you have any questions or comments.

Leigh Simmons  
Environmental Protection Specialist



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

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**INSP-REPORTC\_C1980007\_LDS\_06042024121436.pdf**  
6806K



**PERMIT INFORMATION**

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

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> May 22, 2024 <b>Inspection Start Time:</b> 09:00 <b>Inspection End Date:</b> <b>Inspection End Time:</b>	<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> OSM Oversight Inspection <b>Weather:</b> Clear
<b>Joint Inspection Agency:</b>  None	<b>Joint Inspection Contacts:</b>  
<b>Post Inspection Agency:</b>  None	<b>Post Inspection Contacts:</b>  
<b>Inspector(s):</b>  Leigh Simmons	<b>Inspector's Signature:</b>   <b>Signature Date:</b>  June 4, 2024

**Inspection Topic Summary**

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

N - Air Resource Protection

N - Roads

N - Availability of Records

R - Reclamation Success

N - Backfill &amp; Grading

N - Revegetation

N - Excess Spoil and Dev. Waste

N - Subsidence

N - Explosives

R - Slides and Other Damage

N - Fish &amp; Wildlife

R - Support Facilities On-site

R - Hydrologic Balance

Y - Signs and Markers

R - Gen. Compliance With Mine Plan

N - Support Facilities Not On-site

N - Other

N - Special Categories Of Mining

R - Processing Waste

Y - Topsoil

**COMMENTS**

This was a partial inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was clear, warm and dry, following recent heavy rain. The mine was active. The inspection was accompanied by Garren Atchley of Mountain Coal Company (MCC), and overseen by Andrew Monroy of the Office of Surface Mining Reclamation and Enforcement (OSMRE).

**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:

Ditches and culverts around the facilities area were in good order, with no evidence of disruptions to the designed surface water treatment system despite recent wet weather. The RPE, MB3, MB5E and SG1 ponds were inspected. None of the ponds were discharging, or close to the discharge level. Pond embankments and spillways were in good order. Pond cleaning and surveying was scheduled for the summer of 2024, probably in August.

**GENERAL MINE PLAN COMPLIANCE:**

Longwall mining of the LWE12 panel was in progress, at around crosscut 11 on the headgate.

Development of the LWE16 headgate was complete, and development of the start line was in progress.

Pillaring of the Sunset Mains South was in progress, at around crosscut 19. The work was being done by contractors with Phoenix Mining.

Two crews were also working in the B-seam mains; a Phoenix Mining crew shoring up development work, and a MCC crew preparing the beltline.

Longwall coal quality was such that it did not need to be washed. Development coal was of a similar quality, but the wash plant had been running to process previously stockpiled material. 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, but the total amount of fines was steadily coming down. MCC expected to clear the fines inventory by March 2025.

Number of Partial Inspection this Fiscal Year: 8

Number of Complete Inspections this Fiscal Year: 4

With respect to the disputed Water Discharge Permit, District Court Order 2022CV30061 had been appealed. Mountain Coal Company understood 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.

#### PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11

Drainage Control; Surface Stabilization; Placement:

Refuse was being generated at the time of the inspection. Given the damp surface of the RPEE haul road following recent wet weather, no attempt was being made to haul the material to the RPEE (and no attempt was made to inspect the RPEE). The refuse was being temporarily stockpiled on the RPE.

#### RECLAMATION SUCCESS - Rule 4.15, Rule 3:

A gully eroded by a small spring that had emerged above the reclaimed area near Shaft 3 had been repaired with riprap. The reclaimed area appeared stable, with vegetation becoming established.

#### SLIDES and DAMAGE - Rule 4.12:

The slide on the out-slope of the Material Storage Bench (MSB) was inspected and discussed. There was no evidence of any recent movement. MCC continued to operate on the reduced surface of the bench with no issues and did not have any immediate plans to repair the bench.

#### SUPPORT FACILITIES - Rule 4.04:

Work was in progress to complete the Box Canyon North pipeline project.

#### **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.

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This is a technical map of the Los Angeles Harbor area, featuring a grid system and various geographical labels. Key elements include:

- Elevation Contours:** Handwritten numbers 6950, 7000, 7050, 7100, 7150, and 7200 are placed along contour lines.
- Location Labels:** Numerous points are marked with red dots and alphanumeric codes such as E10-23, E10-22, E10-21, E10-16.5, E10-12.5, E10-8, E11-27, E11-26, E11-28, E11-22, E11-18, E11-13, E12-27, E12-26, E12-25, E12-21.5, E12-15, E12-30, E12-16.5, and E12-6.5.
- Infrastructure:** The map shows roads, bridges, and railroads. Specific features labeled include "OUTLET #1", "OUTLET #2", "OUTLET #3", "OUTLET #4", "OUTLET #5", "OUTLET #6", "OUTLET #7", "OUTLET #8", "OUTLET #9", "OUTLET #10", "OUTLET #11", "OUTLET #12", "OUTLET #13", "OUTLET #14", "OUTLET #15", "OUTLET #16", "OUTLET #17", "OUTLET #18", "OUTLET #19", "OUTLET #20", "OUTLET #21", "OUTLET #22", "OUTLET #23", "OUTLET #24", "OUTLET #25", "OUTLET #26", "OUTLET #27", "OUTLET #28", "OUTLET #29", "OUTLET #30", "OUTLET #31", "OUTLET #32", "OUTLET #33", "OUTLET #34", "OUTLET #35", "OUTLET #36", "OUTLET #37", "OUTLET #38", "OUTLET #39", "OUTLET #40", "OUTLET #41", "OUTLET #42", "OUTLET #43", "OUTLET #44", "OUTLET #45", "OUTLET #46", "OUTLET #47", "OUTLET #48", "OUTLET #49", "OUTLET #50", "OUTLET #51", "OUTLET #52", "OUTLET #53", "OUTLET #54", "OUTLET #55", "OUTLET #56", "OUTLET #57", "OUTLET #58", "OUTLET #59", "OUTLET #60", "OUTLET #61", "OUTLET #62", "OUTLET #63", "OUTLET #64", "OUTLET #65", "OUTLET #66", "OUTLET #67", "OUTLET #68", "OUTLET #69", "OUTLET #70", "OUTLET #71", "OUTLET #72", "OUTLET #73", "OUTLET #74", "OUTLET #75", "OUTLET #76", "OUTLET #77", "OUTLET #78", "OUTLET #79", "OUTLET #80", "OUTLET #81", "OUTLET #82", "OUTLET #83", "OUTLET #84", "OUTLET #85", "OUTLET #86", "OUTLET #87", "OUTLET #88", "OUTLET #89", "OUTLET #90", "OUTLET #91", "OUTLET #92", "OUTLET #93", "OUTLET #94", "OUTLET #95", "OUTLET #96", "OUTLET #97", "OUTLET #98", "OUTLET #99", "OUTLET #100".

Figure 1: Mine map showing longwall progress in LWE12

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Number of Complete Inspections this Fiscal Year: 4



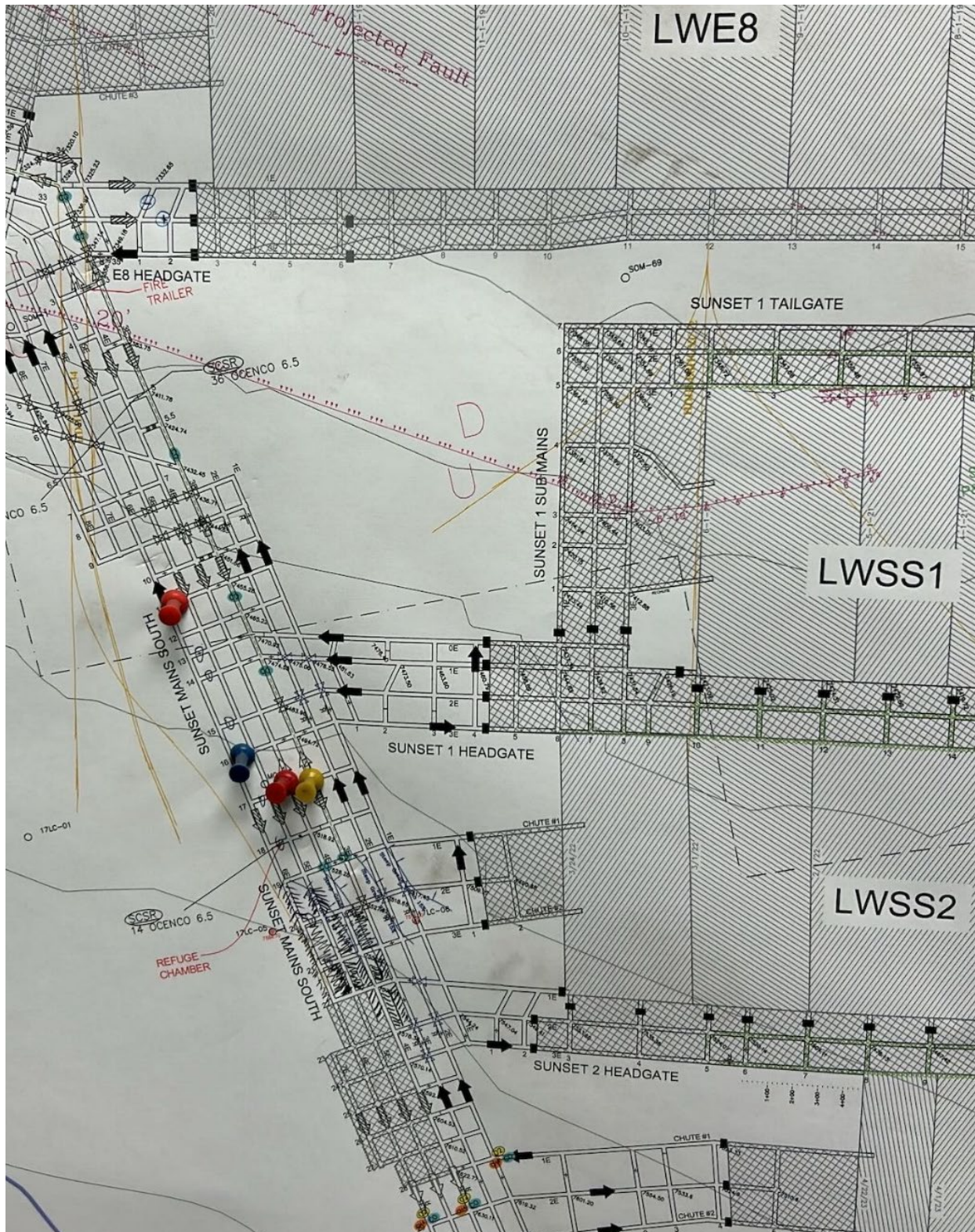


Figure 3: Mine map showing pillaring progress in Sunset Mains South

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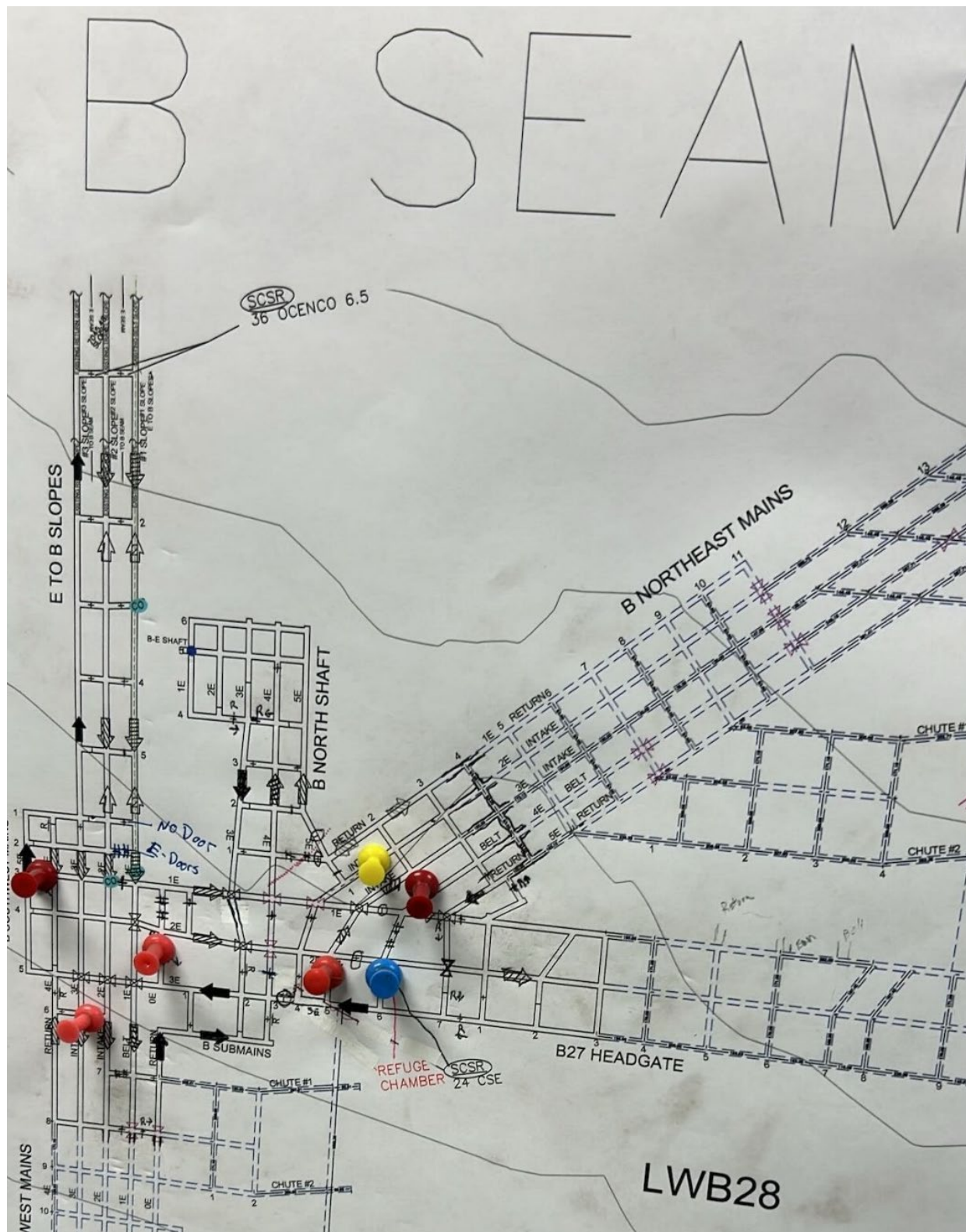


Figure 4: Mine map showing development progress in B-Seam

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*Figure 5: Run-of-Mine coal stockpile*



*Figure 6: Overview of facilities area, with Material Storage Bench center right*

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*Figure 7: Run-of-Mine Coal Stockpile, within boundary of stockpile footprint*

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*Figure 8: MB3 pond*



*Figure 9: Temporary refuse pile on surface of RPE*

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Figure 10: RPE pond, east cell



Figure 11: Pump at RPE pond

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Figure 12: RPE pond, west cell



Figure 13: MB5E pond, south cell

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Figure 14: MB5E pond, north cell



Figure 15: MB5E pond emergency spillway

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Figure 16: SG1 pond



Figure 17: Repaired erosion on reclaimed area at Shaft 3

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