



Extensions

5 messages

Gibson - DNR, Amber <amber.gibson@state.co.us>

Fri, Aug 30, 2024 at 9:09 AM

To: jterry@newelkcoal.com, john terry <jterry316314@gmail.com>, JimB@newelkcoal.com

Good morning,

As a reminder, the following deadlines are due **today**. Please provide the Division with written extension requests:

8/30:

- New Elk NOV --insurance documentation
- Lorencito -- Maintenance items
- Lorencito --Pond 005 certification

Thank you,

Amber M. Gibson
Environmental Protection Specialist I



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

P 720.836.0967 | F 303.832.8106 |
amber.gibson@state.co.us

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216
Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

<https://drms.colorado.gov/>

john terry <jterry316314@gmail.com>

Fri, Aug 30, 2024 at 12:04 PM

To: "Gibson - DNR, Amber" <amber.gibson@state.co.us>

Cc: jterry@newelkcoal.com, JimB@newelkcoal.com

Amber

Can we get the pond 6 and pond 5 extended to the 30th of September. And the New Elk insurance to the 18th of September. I will forward the letters sent to you this evening if you need them.

Thanks

John

[Quoted text hidden]

Gibson - DNR, Amber <amber.gibson@state.co.us>

Fri, Aug 30, 2024 at 12:08 PM

To: john terry <jterry316314@gmail.com>

Cc: jterry@newelkcoal.com, JimB@newelkcoal.com

John,

Yes (for the maintenance items did you want to do an all encompassing maintenance items extension since there are Pond 008 issues as well?). Also, yes, please forward the letters later when you can.

Thank you,

Amber M. Gibson

Environmental Protection Specialist I



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[Quoted text hidden]

john terry <jterry316314@gmail.com>
To: "Gibson - DNR, Amber" <amber.gibson@state.co.us>
Cc: jterry@newelkcoal.com, JimB@newelkcoal.com

Fri, Aug 30, 2024 at 2:49 PM

Yes please

[Quoted text hidden]

Gibson - DNR, Amber <amber.gibson@state.co.us>
To: john terry <jterry316314@gmail.com>
Cc: jterry@newelkcoal.com, JimB@newelkcoal.com

Fri, Aug 30, 2024 at 3:31 PM

Good afternoon,

Attached for your records are copies of the Division's extension request approvals for the following items, to the following dates:

- New Elk NOV --insurance documentation --**extended to September 18, 2024**
- Lorencito -- Maintenance items -- **extended to September 30, 2024**
- Lorencito --Pond 005 certification -- **extended to September 30, 2024**

Thank you,

Amber M. Gibson
Environmental Protection Specialist I



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3 attachments

Lorencito Maintenance Items 1-3_Extension Approval_Aug 30 to Sept 30.pdf
310K

Pond 005 Extension Approval_August to September.pdf
270K

 **CV-2024-002 Extension Approval_Aug 30 to Sept 18.pdf**
402K



August 30, 2024

John Terry
New Elk Coal Company, LLC.
12250 Highway 12
Weston, CO 81091

**RE: New Elk Mine, C-1981-012 Violation No. CV-2024-002 Abatement Deadline
Extension Request Approval**

Dear Mr. Terry,

On August 30, 2024, the Division of Reclamation, Mining and Safety received your request for an extension for the violation abatement deadline for violation number CV-2024-002. The decision date has been extended from August 30, 2024 to **September 18, 2024**.

If you have any questions, please contact me at (720) 836-0967 or amber.gibson@state.co.us.

Sincerely,

Amber M. Gibson
Environmental Protection Specialist

Ec: Jared Ebert, DRMS





August 30, 2024

John Terry
New Elk Coal Company, LLC.
12250 Highway 12
Weston, CO 81091

Re: Lorencito Canyon Mine, C-1996-084 Maintenance Items #1-3 Abatement Deadline Extension Request Approval

Dear Mr. Terry,

On August 30, 2024, the Division of Reclamation, Mining and Safety received your request for an extension for the violation abatement deadline for maintenance items #1-3 (see insert from July Inspection Report below) listed in the recent inspection reports for the Lorencito Canyon Mine. The decision date has been extended from August 30, 2024 to **September 30, 2024**.

OUTSTANDING MAINTANENCE ITEMS Listed below are maintenance items in previous inspection reports. A corrective action date of July 31, 2024 has been set for items 1-3. A corrective action date of December 31, 2024 has been set for item 4.

1. Erosion rills are forming on the north and west banks of Pond 006a. The erosion on the north bank appears to have been addressed at some point, because rebar is placed above the rills. However, it appears that the prior BMPs are no longer functioning adequately. **Pursuant to Rule 4.05.5(1)(c), the Operator shall address the erosion and repair the north bank.** The erosion on the west bank appears to have been caused by runoff from the road located east of Pond 006a. **Pursuant to Rule 4.05.5(1)(c), the Operator shall address the erosion and repair the west bank.**

2. The majority of Pond 008's embankment was stable and vegetated, however, the west bank contains some erosion rills and gullies. The erosion appears to have been caused by run-off from the roads above and down to the pond. **Pursuant to Rule 4.05.5(1)(c), the Operator shall repair the erosion and stabilize the west bank of Pond 008.** The Operator stated that they will likely install additional rock berms along the western-most road to help prevent run-off from running down the slopes and into the pond. The Operator also stated that they plan to remove the sediment (deposited as a result of the bank erosion) along the west bank of Pond 008.

3. The following items pertain to ongoing maintenance issues, cited in previous reports for the area in and around the reclaimed area above Pond 006a:

- a. The ditch along the road leading to Pond 006a is eroding and nearly full of sediment. The overloaded ditch is contributing to the build-up of sediment in the check dams of ditches D8 and D64. **Pursuant to Rule 4.03.2(4), the ditch along the west side of the road leading to Pond 006a needs to be cleaned out and repaired.**



b. The check dams leading to Pond 006a, within ditches D8 and D64, are nearly full of sediment. **Pursuant to Rules 4.05.3(1)(c)-(e) and 4.05.5, the Operator shall clean out the sediment from the check dams to prevent excess sediment from entering the pond.**

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Amber M. Gibson". The signature is cursive and somewhat stylized.

Amber M. Gibson
Environmental Protection Specialist

Ec: Jared Ebert, DRMS



August 30, 2024

John Terry
New Elk Coal Company,
LLC. 12250 Highway 12
Weston, CO 81091

**RE: Lorencito Mine, Permit No. C-1996-084, Pond Certification of Pond 005,
Corrective Actions Extension request**

Dear Mr. Terry,

On August 30, 2024, the Division of Reclamation, Mining and Safety received your request for an extension to the corrective action date for the following cited in a letter sent by the Division on March 1, 2024:

“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).”

The corrective action date has been extended from August 30, 2024 to **September 30, 2024**.

If you have any questions, please contact me at (720) 836-0967 or amber.gibson@state.co.us.

Sincerely,

Amber M. Gibson
Environmental Protection Specialist

Ec: Jared Ebert, DRMS

