



STATE OF  
COLORADO

Wein - DNR, Clayton <clayton.wein@state.co.us>

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## New Horizon 2 Mine, C-1981-008, March Complete Inspection Report

1 message

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**Wein - DNR, Clayton** <clayton.wein@state.co.us>

Mon, Apr 7, 2025 at 3:43 PM

To: "Tennyson, Tony (Colowyo)" <tony.tennyson@tristategt.org>

Cc: Lucas West - DNR <lucas.west@state.co.us>, DNR DRMS\_CoalAdmin - DNR <dnr\_drms\_coal\_admin@state.co.us>

Good afternoon Tony,

Attached with my email is the Division's report for the complete inspection of the New Horizon 2 Mine conducted on March 25, 2025. Please feel free to contact me if you have any questions or concerns,

Sincerely,

**Clayton Wein**

**Environmental Protection Specialist**



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

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**New Horizon 2 Mine, C-1981-008, March Complete Inspection Report.pdf**

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## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

### PERMIT INFORMATION

<b>Permit Number:</b> C-1981-008 <b>Mine Name:</b> New Horizon Mine <b>Operator:</b> Elk Ridge Mining and Reclamation, LLC <b>Operator Address:</b> Mr. Tony Tennyson P.O. Box 628 27646 West 5th Avenue Nucla, CO 81424	<b>County:</b> Montrose <b>Operation Type:</b> Surface <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Tony Tennyson
<b>Operator Representative Signature:</b> (Field Issuance Only)  	

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> March 25, 2025 <b>Inspection Start Time:</b> 12:25 <b>Inspection End Date:</b> March 25, 2025 <b>Inspection End Time:</b> 13:15		<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear	
<b>Joint Inspection Agency:</b>  None		<b>Joint Inspection Contacts:</b>  None	
<b>Post Inspection Agency:</b>  None		<b>Post Inspection Contacts:</b>  None	
<b>Inspector(s):</b>  Clayton Wein  Travis Marshall		<b>Inspector's Signature:</b>  <i>Clayton Wein</i>  <b>Signature Date:</b> 4/7/2025	

**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 &amp; Grading

N - Excess Spoil and Dev. Waste

N - Explosives

R - Fish &amp; Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - Roads

R - Reclamation Success

R - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

R - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

R - Topsoil

**COMMENTS**

This report documents the observations made by the Division during a routing complete inspection of the New Horizon 2 Mine, Permit No. C-1981-008. The inspection was completed by Clayton Wein and Travis Marshall of the Division. Elk Ridge Mining and Reclamation, LLC (ERMR) was represented during the inspection by Tony Tennyson. The weather was clear with a temperature of 70°F. The ground conditions were dry at the time of the inspection.

**AVAILABILITY OF RECORDS – Rule 5.02.4(1):**

The records for the New Horizon Mine are located at the mine office in Nucla Colorado. The records were well kept and up to date. The operator was recently issued a new Certificate of Liability Insurance for the NH2 Mine. This document will be added to the records as soon as the operator is issued a copy from the insurance company. Please see the attached Availability of Records Form at the end of this report for more details.

**FISH and WILDLIFE – Rule 4.18:**

During the inspection, several reclaimed locations had deer and elk tracks observed on them. Vegetation is beginning to green for the spring, providing for for the animals.

**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:

Pond 12 is located in the northern portion of the reclamation located northwest of 2700 Rd. and BB Road. Pond 012 was dry during the inspection (Photo 1). The embankment was stable with vegetative cover. There were no indications or erosional features or burrows. The outlets for the pond were observed to be clear of debris.

Number of Partial Inspection this Fiscal Year: 6

Number of Complete Inspections this Fiscal Year: 3

Pond 013 is located in the northwestern portion of the reclamation located in the northwestern corner of the intersection of 2700 Rd. and BB road. Pond 013 was impounding water during the inspection. The level of water in the pond was at the primary discharge outlet (Photo 2). Discharge was observed flowing out of the outlet and through the monitoring flume. The discharge outlet was clear of debris and functioning as designed. The embankment for Pond 013 was vegetated and stable. There were no indications of burrows or erosion.

Pond 015 is located within the western portion of the reclamation within the northwest corner of 2700 Rd. and BB road. The pond was dry at the time of the inspection (Photo 3). The embankment was stable with covering vegetation. The outlet for the pond was clear of blockages. There were no observed erosional features other than the minor rills previously observed on the inside of the pond's embankment. The rills have been noted in previous Division reports and do not affect the pond's stability or functionality.

Pond 016 is in the southwestern portion of the reclamation located within the northwestern corner of the 2700 Rd. and BB Road intersection. Pond 016 was dry. The pond's embankment was stable with vegetative cover (Photo 4). There were no erosional features or burrows observed.

Pond 018 is located south of the mine office. The pond was dry during the inspection (Photo 5). The embankment was vegetated and stable. There were no erosional features or animal burrows spotted. The outlet for the pond was clear of obstructions.

#### 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 Johnson Access Road extends from BB Road northwest to Pond 013. The road was stable with no erosional features observed. The culvers underneath the road were clear of debris and in good repair.

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

The following paragraphs are in order in which the reclamation parcels were inspected.

Irrigated pasture IP-10 was stable with vegetative cover (Photo 6). Vegetation on the parcel was green and beginning to grow for the season. There were no erosional features identified. No indications of differential settling were observed.

Dryland pasture parcels DP-11, DP-14 and DP-15 were observed on the way to IP-8. The reclamation parcels were stable and had no observed erosional features. Vegetation on the parcels was beginning to green for the season. No differential settling was spotted on these parcels.

Irrigated pasture IP-8 was stable with no erosional features observed (Photo 7). The reclamation parcel was covered with greening vegetation. There were no concerns of differential settling.

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Irrigated Pastures IP-9, IP-11 and IP-12 were covered with greening vegetation. There were no erosional features or spots of differential settling observed.

Prime farmland PF-1 was stable. Vegetation was beginning to green up and fill in. This year is the second growing season for the reclamation parcel. There were no erosional features identified. No observations of differential settling were noted.

Dryland pastures DP-10, DP-12 and DP-18 surround Pond 012. The dryland pastures were stable with vegetation starting to green for the season. No indications of differential settling or erosion were observed.

Irrigated cropland IC-1 consists of 107.8 acres and is on the south side of BB Road. Vegetation was green and starting to grow for the season (Photo 8). IC-1 was seeded in 2015. The reclamation parcel was stable with no erosional features identified. There were no indications of differential settling.

Dryland Pasture Parcels DP-16, DP-17 and DP-19 surround Pond 018. The reclaimed parcels were stable with no erosion. Vegetation was greening for the season. No signs of differential settling were observed.

#### REVEGETATION – Rule 4.15

##### Vegetative Cover; Timing:

The dryland pasture DP-20 parcel was seeded in 2023. Vegetation was beginning to green for the season along the seeding rows (Photo 9). One south-southwest facing area was observed to be filling in a little slower than the rest of DP-20. This area will be continued to be monitored and addressed if necessary. The site was stable with no erosional features. There were no indications of differential settling.

DP-21 (dryland pasture) was also seeded in 2023. The reclamation parcel was found to be stable with no erosional concerns (Photo 10). Vegetation on the site was beginning to green along the seeding rows. No indications of differential settling were noted.

#### SUPPORT FACILITIES - Rule 4.04:

The Facilities for the NH2 Mine are located off 5<sup>th</sup> Street in Nucla. The facilities were well kept. There was not any trash or debris around the site. No fuels or hydrocarbons are stored on -site. The Facilities pad was stable with no erosional features.

#### SIGNS AND MARKERS – Rule 4.02:

Mine identification signs were observed to be posted on all the entrances to the permit area. Signs displayed the address and contact information for the permittee and the Division. The mine's permit id number, C-1981-008, was also displayed on the signs. The signs were in good condition and posted in locations with unrestricted viewsheds.

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**TOPSOIL – Rule 4.06**

Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:

Topsoil Stockpiles 11A and 11B are located to the south of IC-1 (Photo 11). The stockpiles were covered with vegetation and noted to be stable. There were no indications of erosion or loss of topsoil resource. Topsoil pile markers were observed to be posted for both piles.

Topsoil stockpiles C, D and H are located adjacent to the south of the facilities area. The stockpiles were stable with vegetative cover. No erosional features were observed or loss of topsoil. Each of the topsoil piles had an identifying marker.

Topsoil piles 5, 14, 15, and 16 (Photo 12) are associated with various sediment ponds at the mine site. These topsoil piles were observed to be stable with vegetative cover. There were no indications of erosional features or loss of topsoil resource. Topsoil pile markers were seen for each of the piles.

**DOCUMENTS RECEIVED: None**

**OTHER (SPECIFY): None**

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**ENFORCEMENT ACTIONS/COMPLIANCE**

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

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## **PHOTOGRAPHS**

Photo 1: Pond 012.



Photo 2: Pond 013



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Photo 3: Pond 015



Photo 4: Pond 016 inlet and southern embankment.



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Photo 5: Pond 018.



Photo 6: Irrigated Pasture IP-10 looking to the southeast.



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Photo 7: Irrigated Pasture IP-8 looking to the north.



Photo 8: Irrigated Cropland IC-1 looking to the north.



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Photo 9: Dryland Pasture DP-20 looking to the east.



Photo 10: Dryland Pasture DP-21 looking to the north.



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Photo 11: Topsoil Stockpile 11B.



Photo 12: Topsoil Stockpile 16.



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**AVAILABILITY OF RECORDS****PERMIT RECORDS**

DRMS Permit	RN-8
Permit Application w/Revisions	Ok
Findings Document	RN-8/SL-28
Insurance Certificate	*Exp. Aug.2025
Bond Document	RN-8
Phased Bond Release	SL-28
Documents/Findings	
Air Emission Permits	Ok
County Special Use Permits	Ok
UG Mining Landowner Notification	NA
Subsidence Monitoring Reports	NA
Subsidence Monitoring Data	NA
Rill & Gully Survey	NA
Vegetation Monitoring Data	2024 ARR/SL-25
Specific Variance Approvals	NA
Annual Reclamation Reports	2024
Midterm Review Documents	MT-7
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Up through Feb. 2025
Transfers/Succession of Operator	Ok 2016
Temporary Cessation Notification	NA
Reclamation Cost Estimate	RN-8
<b>CERTIFICATIONS</b>	
Pond Certifications	OK
Annual Certifications for Impoundments	2024
Fill Certifications for Excess Spoil or Underground Development Waste	NA
• Quarterly Inspections	NA
• Compaction Testing	NA
• Final Certification	NA
Coal Processing Waste Banks	NA
Haul Road Certifications	Ok
Access Road Certifications	NA

**HYDROLOGIC RECORDS**

NPDES Permit	**2021
NPDES Records	4 <sup>th</sup> Q. 2024
Stormwater Management Plan	Ok 2019
SPCC Plan	NA
MSHA Pond Inspections	NA
	NA
State Engineer's Pond Inspection	
Quarterly Pond Inspections	4 <sup>th</sup> Q. 2024
Annual Hydrology Reports	2024
• Ground Water Monitoring	Ok
• Surface Water Monitoring	OK
• Spring & Seep Monitoring	OK
• Mine Water Discharge Monitoring	Ok
• Mine Inflow Study	NA
• Water Consumption Records	OK
Well Permits	OK

**BLASTING RECORDS**

Blasting Publication	NA
Blasting Records (3 years)	OK
ATFE Explosives Permit	NA
Blasting Variances	NA
Pre-Blast Surveys	OK

**ADDITIONAL RECORDS (specify)**


COMMENTS: \* New Certificate of Liability Insurance will be added to the permit when ERMR Receives a copy.

\*\* ERMR has applied for CDPS permit (3/9/2021)

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