



U.S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation
State Program



1. Permittee/Person <div style="border: 1px solid black; padding: 2px;">MOUNTAIN COAL COMPANY LLC</div> 2. Address <div style="border: 1px solid black; padding: 2px;">ONE CITYPLACE DR., STE 300</div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> 3. City <div style="border: 1px solid black; padding: 2px;">ST LOUIS</div> 4. State <div style="border: 1px solid black; padding: 2px;">MO</div> 5. Zip Code <div style="border: 1px solid black; padding: 2px;">63141</div> 6. Phone Number <div style="border: 1px solid black; padding: 2px;">(314) 994-2949</div> 7. Operator Name, if Different than Permittee <div style="border: 1px solid black; padding: 2px;">MOUNTAIN COAL COMPANY LLC</div> 8. Mine Name <div style="border: 1px solid black; padding: 2px;">WEST ELK</div>		9. Permit Number <div style="border: 1px solid black; padding: 2px;">C80007</div> 11. Field Visit Date <div style="border: 1px solid black; padding: 2px;">5/20/2025</div> <small>mm - dd - yyyy</small> 12. Purpose <div style="border: 1px solid black; padding: 2px;">OP</div> 10. Permit Type <div style="border: 1px solid black; padding: 2px;">PP</div> 13. SRA Present <div style="border: 1px solid black; padding: 2px;">Y</div> 14. Permit Status <div style="border: 1px solid black; padding: 2px;">A</div> 15. Site Status <div style="border: 1px solid black; padding: 2px;">AP</div> 16. Facility Type <div style="border: 1px solid black; padding: 2px;">BCEFG</div> 17. OSM Office # <div style="border: 1px solid black; padding: 2px;">141</div> 18. CCID # <div style="border: 1px solid black; padding: 2px;"></div> 19. Land Code <div style="border: 1px solid black; padding: 2px;">F</div> 20. M.S.H.A. ID # <div style="border: 1px solid black; padding: 2px;">05-03672</div> 21. State Abbrev. <div style="border: 1px solid black; padding: 2px;">CO</div> 22. County/Burrough <div style="border: 1px solid black; padding: 2px;">GUNNISON</div> 23. AVS Permittee Entity ID Number <div style="border: 1px solid black; padding: 2px;">145596</div> 24. State Office <div style="border: 1px solid black; padding: 2px;"></div>										
25. Hours <table style="width:100%;"><tr><td style="border: 1px solid black; padding: 2px; text-align: center;">2.0</td><td>a. Permit Review</td></tr><tr><td style="border: 1px solid black; padding: 2px; text-align: center;">4.0</td><td>b. Site Visit Time</td></tr><tr><td style="border: 1px solid black; padding: 2px; text-align: center;">10.0</td><td>c. Travel Time</td></tr><tr><td style="border: 1px solid black; padding: 2px; text-align: center;">20.0</td><td>d. Report Writing</td></tr></table>		2.0	a. Permit Review	4.0	b. Site Visit Time	10.0	c. Travel Time	20.0	d. Report Writing	26. Signature Block <div style="border: 1px solid black; padding: 5px; text-align: center;">Signature: <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Daniel MacKinnon, ID#554</div>Inspector's Name: Date: <div style="border: 1px solid black; padding: 2px; margin-left: 20px;">6/2/2025</div></div>		27. Reviewing Official: <div style="border: 1px solid black; padding: 5px; text-align: center;">Signature: <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Jeff Fleischman</div>Reviewer's Name: Date: <div style="border: 1px solid black; padding: 2px; margin-left: 20px;">6/5/2025</div></div>
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Permit Type - Item 10 IP = Interim Program PP = Permanent Program NP = No Permit												
Purpose Type Codes - Item 12 Oxx...Oversight Rfx...Reclamation Fees CCR...Citizen Complaint Referral (non-site visit) Axx...Assistance Fxx...Federal Actions CC...Citizen Complaint (initial site visit) CCF...Assistance												
Joint Inspection - Item 13 A joint inspection is when a state inspector accompanies an OSM inspector at any time during the review of the mine site												
Permit Status - Item 14 <table style="width:100%;"><tr><td style="vertical-align: top;">A Active: Coal mining activities occurring or permitted but not yet disturbed. IN Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit): Coal mining completed and reclamation activities initiated. BR Bond Release: Reclamation completed and State Regulatory Authority(RA) has released all of the bond (Phase III Release).</td><td style="vertical-align: top;">AB Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840:11(g). AB1 Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced. AB2 Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards. AB3 Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards. NA Not Applicable: When site is unpermitted.</td></tr></table>				A Active: Coal mining activities occurring or permitted but not yet disturbed. IN Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit): Coal mining completed and reclamation activities initiated. BR Bond Release: Reclamation completed and State Regulatory Authority(RA) has released all of the bond (Phase III Release).	AB Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840:11(g). AB1 Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced. AB2 Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards. AB3 Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards. NA Not Applicable: When site is unpermitted.							
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Facility Type Codes - Item 16 <table style="width:100%;"><tr><td style="vertical-align: top;">A...Surface B...Underground C...Preparation Plant</td><td style="vertical-align: top;">D...Ancillary (Haulroad, Conveyor, and/or Rails E...Refuse and/or Impoundment F...Loading Facility and/or Tipple G...Stockpiles</td><td style="vertical-align: top;">H...Exploration Permits I...Notice of Intent to Explore J...Exempt 16 and 2/3</td><td style="vertical-align: top;">K...Government Financed Construction Exemption L...Remining site permitted under 30 CFR 785.25</td></tr></table>				A ...Surface B ...Underground C ...Preparation Plant	D ...Ancillary (Haulroad, Conveyor, and/or Rails E ...Refuse and/or Impoundment F ...Loading Facility and/or Tipple G ...Stockpiles	H ...Exploration Permits I ...Notice of Intent to Explore J ...Exempt 16 and 2/3	K ...Government Financed Construction Exemption L ...Remining site permitted under 30 CFR 785.25					
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Small Business Regulatory Enforcement Fairness Act (SBREFA) Your Comments are Important The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).												
			Page 1									

U.S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation

Permittee/
Person MOUNTAIN COAL COMPANY LLC

Permit
Number C80007

Field Visit
Date 5/20/2025

State Program
Continuation Page

28. Performance Standard Categories

Codes:1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

A. Administrative

1. Mining within Valid Permit
2. Mining within Bonded Area
3. Terms & Conditions of Permit
4. Liability Insurance
5. Ownership and Control
6. Temporary Cessation
7. AML Rec. Fees - Non-Respondent
8. AML Rec. Fees - Failure to Pay

B. Hydrologic Balance

1. 1 Drainage Control
2. Inspections & Certifications
3. 1 Siltation Structures
4. Discharge Structures
5. 1 Diversions
6. Effluent Limits
7. Ground Water Monitoring
8. Surface Water Monitoring
9. Drainage - Acid-Toxic Materials
10. 1 Impoundments
11. Stream Buffer Zones

C. Topsoil & Subsoil

1. Removal
2. Substitute Materials
3. Storage and Protection
4. 1 Redistribution

D. Backfilling & Grading

1. Exposed Openings
2. Contemporaneous Reclamation
3. Approximate Original Contour
4. Highwall Elimination
5. Steep Slopes (includes downslope)
6. Handling of Acid and Toxic Materials
7. Stabilization (rills and gullies)

E. Excess Spoil Disposal

1. Placement
2. Drainage Control
3. Surface Stabilization
4. Inspections & Certifications

F. Coal Mine Waste (Refuse Piles/Impoundments)

1. 1 Drainage Control
2. 1 Surface Stabilization
3. 1 Placement
4. Inspections & Certifications
5. Impounding Structures

G. Use of Explosives

1. Blaster Certification
2. Distance Prohibitions
3. Blast Survey/Schedule
4. Warnings & Records
5. Control of Adverse Effects

H. Subsidence Control Plan

I. Roads

1. Road Construction
2. Certification
3. 1 Drainage
4. 1 Surfacing and Maintenance
5. Reclamation

J. Signs & Markers

1. Signs
2. Markers

K. Distance Prohibitions

L. Revegetation

1. Vegetative Cover
2. Timing

M. Postmining Land Use

N. Other

General
Performance
Category

Performance Standard Categories 30 CFR Counterparts

A. Administrative

1. Valid Permit 773.11
2. Mining within Bonded Area 773.11
3. Terms & Conditions of Permit 773.17
4. Liability Insurance 800.60
5. Ownership and Control 778.13
6. Temporary Cessation §42.11(e) & §16/817.131
7. AML Rec. Fees - Non-Respondent §70.15(b)
8. AML Rec. Fees - Failure to Pay §70.15(a)

B. Hydrologic Balance (816/817.41-57)

1. Drainage Control 45
2. Inspections & Certifications 49(a)(10)
3. Siltation Structures 46
4. Discharge Structures 47
5. Diversions 43
6. Effluent Limits 42
7. Ground Water Monitoring 41(c)
8. Surface Water Monitoring 41(e)
9. Drainage--Acid - Toxic Materials 41(f)
10. Impoundments 49
11. Stream Buffer Zones 57

C. Topsoil & Subsoil (816/817.22)

1. Removal 22(a)
2. Substitute Materials 22(c)
3. Storage and Protection 22(c)
4. Redistribution 22(d)

D. Backfilling & Grading (816/817.95-107)

1. Exposed Openings §16/817.13, 14, 15, & §23.11 & 21
2. Contemporaneous Reclamation 100
3. Approximate Original Contour 102(a)(1)
4. Highwall Elimination 102(a)(2)
5. Steep Slopes (includes downslope) 107
6. Handling of Acid & Toxic Materials 102(c)
7. Stabilization (rills and gullies) 95(b)

E. Excess Spoil Disposal (816/817.71-74)

1. Placement 71(e)
2. Drainage Control 71(f)
3. Surface Stabilization 71(g)
4. Inspections & Certifications 71(h)

F. Coal Mine Waste (Refuse Piles/Impoundments) (816/817.81-84)

1. Drainage Control §3(a)
2. Surface Stabilization §3(b)
3. Placement §3(c)
4. Inspections and Certifications §3(d)
5. Impounding Structures 84

G. Use of Explosives (816/817.61-68)

1. Blaster Certification 61(c)
2. Distance Prohibitions 61(d)
3. Blast Survey/Schedule 62-64
4. Warnings & Records 66 & 68
5. Control of Adverse Effects 67

H. Subsidence Control Plan (817.121-122)

I. Roads (816/817.150-151)

1. Road Construction 150(c)
2. Certification 151(a)
3. Drainage 150(b)-151(d)
4. Surfacing and Maintenance 150(e)-151(d)
5. Reclamation 150(f)

J. Signs & Markers (816/817.11)

1. Signs 11(a),(b),(c)
2. Markers 11(a),(b),(d),(e),(f)

K. Distance Prohibitions (761.11)

L. Revegetation (816/817.111-116)

1. Vegetative Cover 111 & 116
2. Timing 113

M. Postmining Land Use (816/817.133)

OSM Action

- 1) Deferred to State Action
- 2) TDN Issued
- 3) NOV Issued
- 4) FTA/CO Issued
- 5) IH-CO Issued
- 6) ID-CO Issued (Imminent Danger to Public)
- 7) Previously cited by RA, abatement pending
- 8) Abated during or before OSM inspection
- 9) Follow-up of Federal Action
- 0) Off-site impact with no violation

Off-Site Impacts

- For each type of impact and resource affected, enter "N, D, or J" to describe the degree of off-site impact:
- N - Minor Occurrence
 - D - Moderate Occurrence
 - J - Major Occurrence

Denver Field Branch Bond Release Evaluation Report

Permittee:	Mountain Coal Company, LLC
Operator:	Mountain Coal Company, LLC
Site:	West Elk Mine
Permit No:	C-1980-007
Date of Inspection:	May 20, 2025
Inspection Type:	Partial Oversight
Weather:	Sunny and warm
Operator Representatives:	Josh Thompson, Natalie Stafford
State Official:	Leigh Simmons
OSMRE Official:	Dan MacKinnon #554, Kyler Yingling

Background

This was a partial oversight inspection at the West Elk Mine in Delta and Gunnison counties, Colorado. The mine was recently part of a merger, and now exists under Core Resources. At the RPEE, the state identified a slash pile and I-Beam metal structures should be removed from the encroaching refuse work and straw wattles that require resetting or replacing. No enforcement actions were initiated as a result of this inspection, nor are any pending.

Office Meeting

We discussed current operations. Work to update the prep plant is delayed while the operator mines through high-gob coal. Coal fines are being placed at Stack Tube 1 and coal waste is delivered to the main refuse pile. We discussed the plans for new ponds at a few Small Area Exemption sites. The Colorado Department of Public Health and Environment (Colorado's Water Quality Act agency) has plans to require these ponds; however, the operator disagrees with their need and both sides are currently in litigation over the issue. Current non-mining activities on site includes weed spraying and ditch clearing.

Facilities Area

We toured the facilities area; no issues were noted. The tour included the stack tubes (Figure 1), silos (including one under repair, Figure 2), and Ponds MB5E and MB3.

RPEE

This is a large valley fill refuse pile that was active at the time of inspection (Figure 3). Two items were identified by the state. A slash pile and I-beam metal structures were close to being buried on the active portion of the pile (Figure 4); the operator should ensure these items are not buried and are properly used or removed from the site. Several straw wattles, placed to prevent erosion, were dislodged from their original placement and should be reset or replaced.



Figure 1 - Stack Tubes 1, 2, and 3. Stack Tube 3 is in the foreground.



Figure 2 - A silo being repaired.



Figure 3 - Active reclamation on RPEE.



Figure 4 - Active coal refuse work encroaching on a slash pile and I-Beam metal on RPEE. These should be removed before they are buried.

