



**COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY
COAL PROGRAM INSPECTION REPORT**



PERMIT INFORMATION

Permit Number: C-2010-089 Mine Name: New Horizon North Mine Operator: Western Fuels-Colorado, LLC Operator Address: Mr. David G Anderson 12050 N. Pecos St., Suite 100 Westminster, CO 80234	County: Montrose Operation Type: Surface Permit Status: Active Ownership: Private
	Operator Representative Present: None (Aerial Inspection)
Operator Representative Signature: (Field Issuance Only) This inspection was issued electronically from the Division's Durango Field Office.	

INSPECTION INFORMATION

Inspection Start Date: April 19, 2013 Inspection Start Time: 11:52 Inspection End Date: April 19, 2013 Inspection End Time: 11:53	Inspection Type: Aerial Inspection Inspection Reason: Normal I&E Program Weather: Clear
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Marcia L. Talvitie, P.E.	Inspector's Signature:  Signature Date: 23 April 2013

Inspection Topic SummaryNOTE: **Y**=Inspected**N**=Not Inspected**R**=Comments Noted**V**=Violation Issued**NA**=Not Applicable**N** - Air Resource Protection**N** - Availability of Records**N** - Backfill & Grading**NA** - Excess Spoil and Dev. Waste**NA** - Explosives**N** - Fish & Wildlife**R** - Hydrologic Balance**Y** - Gen. Compliance With Mine Plan**R** - Other**NA** - Processing Waste**N** - Roads**NA** - Reclamation Success**NA** - Revegetation**NA** - Subsidence**Y** - Slides and Other Damage**NA** - Support Facilities On-site**N** - Signs and Markers**N** - Support Facilities Not On-site**N** - Special Categories Of Mining**R** - Topsoil**COMMENTS**

An aerial inspection of the New Horizon North Mine was conducted by the Division in April, 2013. Photographs were taken by Harry Ranney on Friday, April 19, 2013 beginning at 11:50 a.m., and were subsequently analyzed by Marcia Talvitie. Skies were clear for the inspection.

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:

- The bottom of Pond NHN-001 was partially covered with water.
- Pond NHN-001 features are shown in Photo 1.

OTHER (IRRIGATION)

- The CCC Ditch, which brings irrigation to the Nucla area from the San Miguel River, was scheduled to start flowing for the season on April 15th.
- Water for the area immediately surrounding this mine is provided by the Second Park Lateral, which is confined to a HDPE pipeline around the southern end of the permit area.
- Irrigation of lands to the west of the permit area had commenced as of the time of the inspection (Photo 2).

TOPSOIL – Rule 4.06

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

- Two soil stockpiles were constructed in late 2012 along the eastern side of the disturbed area (Photo 2). Progresso soils are in the northern pile, while the southern pile consists of “REC” soils that had been previously salvaged and redistributed during Peabody’s operation of the Nucla Mine in the 1980s.

ENFORCEMENT ACTIONS/COMPLIANCE**Infraction Number:** CV2013003

Inspection Date: March 29, 2013
Date Issued: April 9, 2013
Primary Topic: Off-site Damage
Secondary Topic: None
Tertiary Topic: None

Description: Failure to confine surface coal mining and reclamation operations to lands within the permit area.

Abatement #: 1

Abatement Due Date: 4/26/2013

Abatement Description: In accordance with 2.08.4(2)(c), submit a Technical Revision application for an incidental permit boundary revision to incorporate the disturbed area into the permit. The application shall comply with the requirements set for in 2.03.6.

NOTE: The Division received an application for Technical Revision No. 3 on April 12, 2013. The infraction was therefore abated on that date.

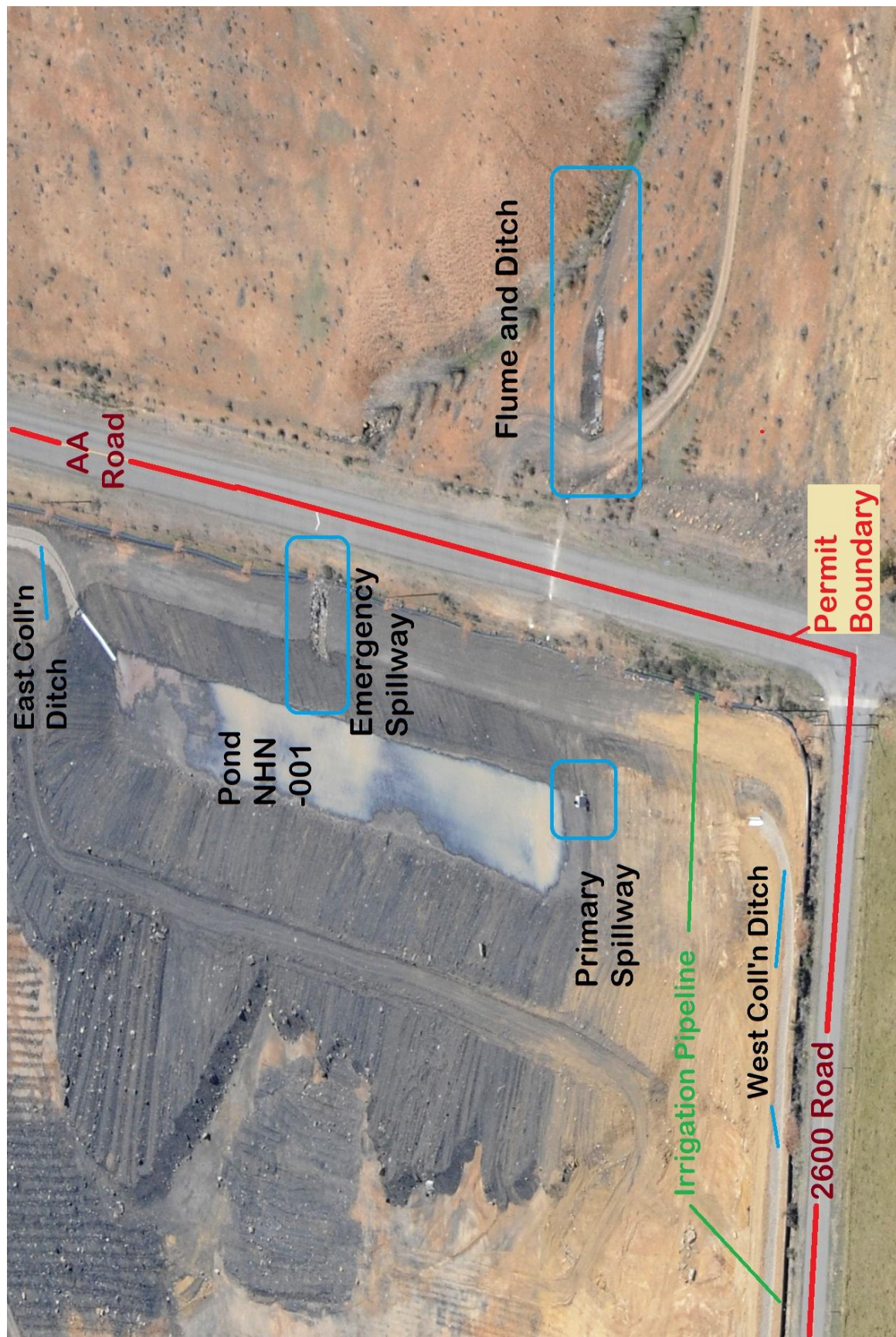
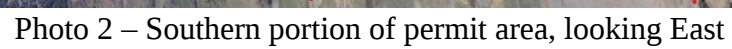


Photo 1 – Pond NHN-001 location and features, looking East

Number of Partial Inspection this Fiscal Year: 9

Number of Complete Inspections this Fiscal Year: 3



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