




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



PERMIT INFORMATION

Permit Number: C-1981-012 Mine Name: New Elk Mine Operator: New Elk Coal Company, LLC Operator Address: Mr. Ron Thompson 12250 Highway 12 Weston, CO 81091	County: Las Animas Operation Type: Underground Permit Status: Temporary Cessation Ownership: Private
	Operator Representative Present: Dennis Wilson
Operator Representative Signature: (Field Issuance Only) N/A – Report Issued from Denver Office	

INSPECTION INFORMATION

Inspection Start Date: May 23, 2013 Inspection Start Time: 07:30 Inspection End Date: May 23, 2013 Inspection End Time: 13:00	Inspection Type: Coal Partial Inspection Inspection Reason: Normal I&E Program Weather: Clear
Joint Inspection Agency: None	Joint Inspection Contacts: None
Post Inspection Agency: None	Post Inspection Contacts: None
Inspector(s): James R. Stark	Inspector's Signature:  Signature Date: 3 June 2013

Inspection Topic Summary

NOTE: 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

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

R - Roads

N - Reclamation Success

R - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

R - Signs and Markers

R - Support Facilities Not On-site

N - Special Categories Of Mining

N - Topsoil

COMMENTS

This was a partial inspection of the New Elk Mine conducted by Jim Stark of the Colorado Division of Reclamation, Mining and Safety. Dennis Wilson, representing the New Elk Coal Company, accompanied me on the inspection. The mine was not actively producing, washing or shipping coal at the time of the inspection. The weather was warm and sunny and the ground was dry.

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:

- Ditch D-16 was scheduled to be cleaned the following week. Dennis indicated that the weekend crew was going to move all of the material/equipment stored between the road and pond out approximately 20 feet to allow a blade into the ditch for cleaning. following cleaning the material/equipment will be put back.

Ditches D-17A and D-17B were both clean. Culverts C11 and C50 were both clean at the time of the inspection.

- Pond 001 contained water at a level approximately four feet below the top and was not discharging at the time of the inspection. The pond embankment was well vegetated and stable and no erosional problems were noted.

- There was a small amount of sediment in ditch D11 but it does not need to be cleaned at this time (but should be monitored and cleaned as when needed). The ditch was stable and there were no erosional problems noted.

- The ditches by the coal silos, the D24 series of ditches, were all clean at the time of the inspection. The associated culverts in this area, C31, C61, C36, C59, C55 and C20, were all clean and appeared to be functioning properly.

- Pond 007 contained water approximately three feet below the top of the discharge pipe and was not discharging at the time of the inspection. There are numerous weep holes on the discharge pipe, however, there is a gated valve on the outfall so discharge is controlled. There is a permanent pool elevation at pond 007 so it is imperative that New Elk discharge pond 007 below this permanent pool level to allow for adequate and permitted storage capacity. There was some sediment at the inlet of the pond that should be cleaned out when time permits. The pond embankment was well vegetated and stable and no erosional problems were noted.- Pond 006 contained a small amount of water from the recent rains but was not discharging at the time of the inspection. This pond is not a sediment pond but an overflow and storage pond for thickener water for the coal preparation plant. The pond embankment was well vegetated and stable and no erosional problems were noted.

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HYDROLOGIC BALANCE (cont.) - Water was flowing from the prep plant sump and, ultimately, into pond 007.

- Ditch D-15 was clean at the time of the inspection.
- Water was flowing from the sump pumps in the main shop/office building. This water was flowing into the D16 series of ditches and through the C16 series of culverts. Ultimately, this water flows into pond 007. The D16 series of ditches were clean and the C16 series of culverts were generally clean but are also slated to be replaced.
- Ditch D-12, on the north side of the DWP, contains some sediment and should be cleaned out. The ditch itself also needs to be more defined at the road on the north east side of the pile. The sump in the ditch, in front of culvert C13, was clean. Culvert C13 was also clean.
- Ditches D11 and D19, on the north side of the road by the DWP, were clean at the time of the inspection. There were no erosion problems noted in any of these ditches.
- The SAE east of the DWP, at the location of the old topsoil stockpile, was stable and generally in good condition at the time of the inspection. Water from this SAE flows directly into the Purgatoire River, so maintenance and stability of this SAE is critical. There were some new straw bales in the ditch/SAE area. There was some sediment behind these straw bales but it was not enough sediment to warrant cleaning at this point. New Elk Coal needs to continue monitoring this area and keep up with the maintenance and cleaning as necessary. The silt fence at the top of this area was generally in good condition. The culvert under the haul road, culvert C30, was clean at the time of the inspection.
- Ditch D-2, on the north side of the old DWP, contains a small amount of sediment. The ditch, however, is well vegetated and stable and any attempt to clean it would remove this vegetation. The pile is also well vegetated so there will be little runoff from the pile. This ditch should be monitored and only cleaned is necessary. Ditch D-10, on the east side of the old DWP, was cleaned with an excavator. The ditch is now fairly deep and has very steep inslopes. The riprap at the end of the ditch is in place and remains stable. The SAE at this location was also stable and in good condition. Culverts C6 and C60 were clean at the time of the inspection.
- Pond 004 was dry at the time of the inspection. The pond embankment was well vegetated and stable and no erosional problems were noted.
- Ditch D-34BBB was clean and stable at the time of the inspection. Culvert C2, at the end of D-34BBB was clear.
- The operator was still working on replacing culverts C3 (at the west mine by the soil storage area) and c41 (under the haul road at the refuse pile. Dennis Wilson indicated that the culverts were on order and would be replaced once they arrived.

GENERAL MINE PLAN COMPLIANCE:

- The New Elk Mine is an underground Mine. The mine is currently in temporary cessation. There were no mining operations taking place. Since there was no mining, there was no refuse production and there was no activity at the refuse disposal area. New Elk was not shipping any coal to the Jansen Loadout but Dennis Wilson did indicate that a train would arrive over the weekend to be loaded with coal already at the loadout. Prior to doing any further mining or development work at the New Elk Mine the operator must take the mine out of temporary cessation and notify the Division. At that point, the New Elk Mine must resume a full monitoring schedule, as shown in the approved permit document.

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

Drainage Control; Surface Stabilization; Placement:

- The new development waste pile (DWP) was mostly stable at the time of the inspection. There was some slight erosion and rilling on the east side of the pile. This erosion area should be fixed to keep the material from entering ditch D2 and culvert C60 and the SAE that's associated with this area.
- The old DWP was well vegetated and stable at the time of the inspection. The ditch on the north side of the pile (ditch D2) becomes a bit non-distinct as it approaches the west side of the pile by Pond 004. Given how well vegetated both the pile and the ditch are, it is probably not necessary to rework this portion of the ditch at this time.
- The refuse disposal area (RDA) was stable at the time of the inspection. There were no piles of refuse that need to be spread and compacted. There was no water pooling on the surface of the pile and the entire pile appears to have positive drainage. The pile was well compacted and no erosional problems were noted on the surface of the pile or the pile's outslopes. The haul road on the east side of the pile was closed at the time of the inspection (culvert C41 was being replaced).

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 road to the water bench was generally stable at the time of the inspection. There was some minor rilling on the edge of the road just below the curve at the top of the road. While this rilling is minor in nature and not a problem at this time, the road should be bladed as soon as possible to keep the rills from becoming larger and, possible, causing stability problems with the road.
 - The road to the west fan area was well maintained and stable. There was no rutting or erosional problems noted on the road. The ditches along the road were clean and well maintained.
 - The main mine entrance/access road was stable and well maintained. The roads through the facility area were also well maintained and stable. There was no rutting or erosional problems noted on any of these roads at the time of the inspection.
 - The haul road to the refuse pile was generally well maintained and stable. There was no rutting or erosional problems noted on the RDA haul road at the time of the inspection.
- The road to the Verizon booster site was blocked at the time of the inspection. Dennis Wilson indicated that this road will be reclaimed.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

- The ditch along the river by the pump house (ditch D11) was just hydroseeded. The hydroseeding included mulching, which is still in place.
- The east portion of ditch D-19, along the surface disturbance boundary and Colorado Highway 12, was recently hydroseeded and hydromulched. The area remained stable and all of the mulch is still in place.

SUPPORT FACILITIES - Rule 4.04:

- The water tank bench was stable at the time of the inspection. There was no erosion noted on the pad. The SAE, which is a berm with straw bales at the outlet, was well maintained, with several of the straw bales being replaced. There did not appear to be any sediment leaving the site from the SAE or any other location.

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- SUPPORT FACILITIES** (cont.) - The material storage by Pond 001 was clean and in good, orderly condition.
- The retaining wall and the out slopes at the substation bench (south of the car park) remained stable at the time of the inspection. The out slopes were hydroseeded and hydromulched.
 - There was a large pile of demolition debris of mainly concrete at the West Mine area. This pile of concrete will need to be removed to an approved dump site.

SIGNS AND MARKERS – Rule 4.02:

- The New Elk Mine is working on replacing the disturbance boundary markers. There were several new markers in place at the water tank bench.
- The mine ID sign was in place at the main entrance. The sign contained all of the necessary information. There was also a mine ID sign in place at the entrance to the refuse pile and along Colorado Highway 12 where the permit boundary crosses the highway.

OFFSITE SUPPORT FACILITIES - Rule 4.04, 4.28:

- The Jansen Loadout was observed from Colorado Highway 12. There was a large pile of coal that was at the loadout. Dennis Wilson indicated that a train would arrive over the weekend.

DOCUMENTS RECEIVED: None

This concludes the 23 May 2013 partial inspection report for the New Elk Mine.

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ENFORCEMENT ACTIONS/COMPLIANCE

There are no outstanding enforcement actions at the New Elk Mine and none were issued as a result of the 23 May 2013 partial inspection.

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PHOTOGRAPHS



SAE at north side of new DWP

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Hydroseeding at ditch D-19

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Hydroseeding at area under refuse conveyer

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