



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



PERMIT INFORMATION

Permit Number: C-1981-041 Mine Name: Roadside Portals Operator: Snowcap Coal Company, Inc Operator Address: Ms. Tonya Hammond P.O. Box 1430 Palisade, CO 81526	County: Mesa Operation Type: Underground Permit Status: Permanent Cessation Ownership: Federal
	Operator Representative Present: Tonya Hammond
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: September 18, 2013 Inspection Start Time: 13:00 Inspection End Date: September 18, 2013 Inspection End Time: 16:15	Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Cloudy
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Michael P. Boulay	Inspector's Signature: <i>Michael P. Boulay</i> Signature Date: September 25, 2013

Inspection Topic Summary

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

Y - Air Resource Protection

R - Availability of Records

Y - Backfill & Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

Y - Fish & Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

R - Other

Y - Processing Waste

R - Roads

Y - Reclamation Success

Y - Revegetation

Y - Subsidence

NA - Slides and Other Damage

Y - Support Facilities On-site

Y - Signs and Markers

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

Y - Topsoil

COMMENTS

This was a complete inspection of the Roadside Portals Mine conducted on September 18, 2013 by Mike Boulay of the Division of Reclamation, Mining and Safety Grand Junction Field Office. Tonya Hammond of Snowcap Coal Company (SCC) and Jim Stover of J.E. Stover & Associates, Inc were present during the entire inspection. Prior to this inspection, we made arrangements to meet with Rudy Fontanari a landowner whose property is located within the mine permit boundary in the vicinity of the North Decline area and to the south of this location. Tonya Hammond, Jim Stover and I met Mr. Fontanari at around 1:00 p.m. on the afternoon of September 18 at the North Decline Road located on Mr. Fontanari's property. The purpose of the meeting was to view three items of concern to Mr. Fontanari where he believed that final reclamation had not been completed to his satisfaction. Items discussed and the outcome of this meeting is described in further detail below in this inspection report. Weather conditions were warm and overcast. This area received substantial rainfall for several days during the week prior to this inspection. Ground conditions were damp and muddy in some low lying areas.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The availability of records was checked on 9/19 the day following the on-site inspection at J.E. Stover & Associates offices. All required records were on file and available for review. No problems were noted with the records review. The records are well organized and up to date. See the attached Availability of Records checklist.

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;

Drainage and diversion ditches were stable and at the CRDA-1 and CRDA-2 sites. The RSRDA at the South Portal area was in very good condition with no erosion or instability noted.

Number of Partial Inspection this Fiscal Year: 2Number of Complete Inspections this Fiscal Year: 1

OTHER (SPECIFY):

The primary focus of this inspection was to meet with Mr. Fontanari and to view his concerns that he has identified on his property located within and adjacent to the Roadside Portals Mine permit boundary. Prior to this inspection SCC received a letter from Trevor Grosse of Western Slope Flagstone, LLC dated September 9, 2013 which states that “Western Slope Flagstone owns property south of the Cameo truck stop on which several small projects have yet to be completed prior to bonding release:

- A fence line and berm needs to be repaired and reseeded.
- A culvert needs to be installed under the existing gravel roadway.
- A hillside needs to be “pulled up” and reseeded (where a fence was removed).”

Rudy Fontanari hand delivered a copy of the letter to the DRMS Grand Junction Field Office on September 13, 2013. The property described in the letter is Mr. Fontanari’s property. Above the locations described in the complaint letter addressed to SCC and within the same contiguous property Mr. Fontanari owns and operates the Western Slope Flagstone Quarry No. 2, DRMS Permit No. M-1996-076. This active operation is located along the North Decline Road at an elevation above and to the south of the North Decline. The operation consists of an active gravel mining operation with open pits and stockpiles.

Representative of SCC Tonya Hammond and their consultant Jim Stover and me met with Mr. Fontanari at the North Decline Road to begin the inspection on the afternoon of September 18.

Bullet items 1 and 3 of the letter talked about repair of berms, fence lines and “pulling up” a hillside along the old fence line. These areas are the “Upper Diversion Ditches” at the North Decline which have been approved as permanent features and are not to be reclaimed. I informed Rudy that he had agreed to this back in 2011, and showed him a copy of the “Land Owner Consent” form he had signed agreeing to allow this ditch to remain as a permanent feature. Rudy had also requested that the fence and a gate be removed at this location which was recently completed by SCC. Attached Photograph No. 1 shows the East Diversion Ditch No. 1 that is the site of Rudy’s concern and this is to remain as a post-mine feature. The permanent ditch remains stable and functional and therefore, no action is required by SCC on these two issues.

Bullet item 2 talks about installing a culvert under the existing road. There were actually two culvert issues that Mr. Fontanari wanted to talk about. The upper portion of the road at the North Decline has an existing culvert which Rudy says continually gets filled in and causes too much maintenance (see Photograph No. 2). He requested that SCC pull the culvert and install allow water crossing with a 3’ concrete bottom. We discussed alternatives for cleaning or replacing the culvert. I informed Rudy that the DRMS does not typically approve concrete to be permitted in final drainage designs, especially if there are other alternatives. This specific culvert does have a tendency to fill in and one option we considered was to raise the road where the culvert sits about a foot and reset the culvert so the outlet of the culvert is above the drainage bottom that has risen in the last several years due to sediment build up. For the time being SCC is required to clean the culvert out and is making arrangements to have this work completed. Mr. Fontanari indicated that he would like a culvert installed in the lower portion of the North Decline road. We inspected the area and found a CDOT culvert already existed. The

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area in question is outside of the permit boundary and on CDOT property. SCC agreed to establish the road ditch better so it flows into the inlet of the culvert.

Due to all the recent heavy rains we've been having, we noted that the road ditches at the North Decline need to be cleaned. Also, there is a large rip rap channel running through the North Decline that needs sediment removed and rip rap repaired. SCC has agreed to completing this work and will schedule this maintenance for the following week (this should take one to two days with trackhoe and blade).

When we finished at the North Decline, Mr. Fontanari stated that he had three additional concerns on the south side of his property. We followed Rudy to a location which is now outside of the current permit area on some of his adjacent surface properties. Rudy took us to an area where he has a pipeline that runs irrigation water from Rapid Creek to his riprap gravel pit (Permit No. M-1996-076). The location of the upper irrigation pipe is shown in Photograph No. 3. Rudy indicated that he believes subsidence from the old mine works is causing his pipeline to sag, interrupting the flow and causing his "clean out areas" to fill in with sediment. He also pointed out an area on a cutslope that he believes shows some evidence of subsidence. Jim Stover and I inspected the area and did not see any evidence of subsidence in the vicinity of the buried water pipeline. The feature Rudy pointed out on the cutslope appears to be a small rockfall from the steep face of the slope (see Photograph No. 4). I did note two small cracks at the surface in the location of the buried pipeline (Photograph No. 5). It is unclear if this is related to subsidence or from slumping of the backfill material used to bury the pipeline. Rudy also commented about a lower irrigation ditch that conveys flow from Rapid Creek to what SCC refers to as the "Carey" Pond in reference to the property owner's name. This is an open irrigation ditch that he says has slumped in one area and now water backs up and overtops a culvert on one of the county roads (see Photograph No. 6). We inspected the ditch and road crossing. Based on my observations I did not see any immediate evidence that subsidence is the cause of his irrigation problems. At the lower irrigation ditch the culvert at the road crossing is silted in almost entirely on the discharge end of the culvert pipe (Photograph No. 7). Both of these areas (upper and lower irrigation ditches) were released from bond in 2007 with SL-3 and are no longer within the permit boundary.

The inspection then proceeded further west to the corner of Rudy's property where it abuts with the Carey property to the west and Reams and Erickson property to the south. Rudy has discovered two old drill holes above the South Portal properties. This is the first time that he has told SCC or the DRMS about these and they do not show on any of the permit maps. One is on land owned by Rudy and is still inside the SCC permit boundary. The other is on property owned by Reams Land Trust on land that was released from bond in 2007 with SL-3. Photos of each of these existing boreholes are attached. Photograph No. 8 is the cased well located on the Fontanari property and Photograph No. 9 is an open borehole located on the Reams property. It presents a safety hazard as it covered only by an old rusty bucket. The holes should be about 100 feet deep since that is the approximate overburden depth. It is possible that these borings were exploration holes drilled Pre-Law. Even if we have no records of these, they are above old mine works and they need to be plugged and abandoned. I have subsequently met with SCC and Jim Stover to discuss plans for properly abandoning these borings. Photograph No. 10 is taken from a vantage point on the Reams property near the permit boundary looking east to the Erickson property which is located within the permit area. Mr. Fontanari indicated that subsidence effects are notable from this viewpoint.

The last issue brought up by Rudy was in regards to the hydrology of the mine discharge water if he should ever

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decide to run his irrigation water at full flow (which at one point he indicated that he has in the past and the water seemed to disappear). He further indicated that his land is farmable and if fully irrigated it could flood the mine and cause major problems with SCC's mine water discharge point and also the possibility of waters breaking through the portals and potentially impacting the interstate. Mr. Fontanari went on to describe several other grievances that he has had with former mine operators that date back to the early 1980s. Mr. Fontanari added that if someday he farms or mines (gravel) on the land above the mine he does not want to be responsible for any hydrology problems that might arise. Mr. Fontanari indicated that he believes the DRMS should deny bond release (or at least some portion of it) based on possible future hydrologic problems. It should be noted here that Mr. Fontanari operates the active gravel mining operation located within the current Roadside Portals Mine permit area. This operation Western Slope Flagstone, LLC has two open pits one of which contains water intermittently from Mr. Fontanari's irrigation operations. The pits are located above mined out areas of the Roadside Portals Mine. The inspection concluded at this point and arrangements were made with SCC to do the Availability of Records review the following day at J.E. Stover & Associates office as part of this complete inspection.

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):

Roads were mostly dry and in good condition at the North and South Portal locations and at the North Decline area. The 2-West Portals and reclaimed Compressor/Substation sites were not inspected due to muddy roads.

DOCUMENTS RECEIVED

None

OTHER (SPECIFY)

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ENFORCEMENT ACTIONS/COMPLIANCE

There were no enforcement actions taken as a result of this inspection, and none are pending.

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PHOTOGRAPHS



Photo No. 1 - Permanent post-mine feature, East Diversion Ditch No. 1



Photo No. 2 - Existing culvert at North Decline road requiring maintenance.

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Photo No. 3 - Location of upper irrigation pipe.



Photo No. 4 - Rockfall on cut slope above irrigation pipe location.

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Photo No. 5 – Surface crack at location of buried irrigation pipe.



Photo No. 6 – Lower irrigation ditch located outside of current permit area.

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Photo No. 7 - Lower irrigation ditch culvert silted in.



Photo No. 8 - Cased drillhole on Fontanari property.

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Photo No. 9 - Borehole on Reams property.



Photo No. 10 - Vantage point from Reams property looking east to Erickson property.

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	X
Permit Application w/Revisions	X
Findings Document	X RN-6
Insurance Certificate	X expires 07/15
Bond Document	X
Phased Bond Release	X
Documents/Findings	
Air Emission Permits	X
County Special Use Permits	X
UG Mining Landowner Notification	X
Subsidence Monitoring Reports	Suspended
Subsidence Monitoring Data	NA
Rill & Gully Survey	X 3/19/13
Vegetation Monitoring Data	X
Specific Variance Approvals	X
Annual Reclamation Reports	X 2012
Midterm Review Documents	X 07/2010
DRMS/OSM Inspection	X through 7/13
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	X
Temporary Cessation Notification	NA
Reclamation Cost Estimate	X
CERTIFICATIONS	X
Pond Certifications	
Annual Certifications for Impoundments	X 3/28/13
Fill Certifications for Excess Spoil or Underground Development Waste	X final all piles
• Quarterly Inspections	X
• Compaction Testing	X
• Final Certification	X
Coal Processing Waste Banks	X
Haul Road Certifications	X
Access Road Certifications	X

HYDROLOGIC RECORDS

NPDES Permit	X expires 2017
NPDES Records	X through 8/13
Stormwater Management Plan	X
SPCC Plan	X
MSHA Pond Inspections	NA
	NA
State Engineer's Pond Inspection	
Quarterly Pond Inspections	Suspended 2 nd qtr
Annual Hydrology Reports	X 2012
• Ground Water Monitoring	X
• Surface Water Monitoring	X
• Spring & Seep Monitoring	NA
• Mine Water Discharge Monitoring	X
• Mine Inflow Study	X
• Water Consumption Records	X
Well Permits	NA

BLASTING RECORDS

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

**ADDITIONAL RECORDS
(specify)**

COMMENTS:

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