




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



PERMIT INFORMATION

Permit Number: C-1981-022 Mine Name: Elk Creek Mine Operator: Oxbow Mining, LLC Operator Address: Mr. Jim Kiger P.O. Box 535 3737 Highway 133 Somerset, CO 81434	County: Delta, Gunnison Operation Type: Underground Permit Status: Active Ownership: Federal
	Operator Representative Present: Jim Kiger
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: November 6, 2013 Inspection Start Time: 09:00 Inspection End Date: November 6, 2013 Inspection End Time: 14:30		Inspection Type: OSM Complete Inspection Inspection Reason: OSM Oversight Inspection Weather: Clear	
Joint Inspection Agency: OSM		Joint Inspection Contacts: Christine Belka	
Post Inspection Agency: None		Post Inspection Contacts:	
Inspector(s): Brock F. Bowles	Inspector's Signature: 		Signature Date: November 12, 2013

Inspection Topic Summary

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

R - Air Resource Protection	N - Roads
R - Availability of Records	R - Reclamation Success
R - Backfill & Grading	N - Revegetation
N - Excess Spoil and Dev. Waste	N - Subsidence
R - Explosives	N - Slides and Other Damage
N - Fish & Wildlife	N - Support Facilities On-site
R - Hydrologic Balance	R - Signs and Markers
N - Gen. Compliance With Mine Plan	N - Support Facilities Not On-site
N - Other	N - Special Categories Of Mining
R - Processing Waste	R - Topsoil

COMMENTS

This was a complete Office of Surface Mining Reclamation and Enforcement (OSM) oversight inspection of the Elk Creek Mine. The inspection was conducted by Brock Bowles of the Colorado Division of Reclamation Mining and Safety and Christine Belka of OSM. Jim Kiger of Oxbow Mining, LLC was present for the inspection. The weather was cool and clear. The ground was frozen in the morning. Development work was being done in the East Lease area. Elk Creek has not replaced its long wall miner yet and is still working with a reduced staff.

AIR RESOURCE PROTECTION – Rule 4.17:

Coal was being stacked on the coal stockpile. Bulldozers were not moving coal on the stack. There were no signs of fugitive dust on site or off.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

All files were available for review at the OMLLC office. See attached availability of records checklist.

BACKFILL and GRADING – Rule 4.14 □ Contemporaneous Reclamation 4.14.1; Approximate Original Contour 4.14.2; Highwall Elimination 4.14.1(2)(f); Steep Slopes 4.14.2, 4.27; Handling of Acid and Toxic Materials 4.14.3; Stabilization of Rills and Gullies 4.14.6:

The Sanborn Creek Mine Portal area appeared to be stable. The Somerset B-Seam portal on Hubbard Creek appeared to be stable.

EXPLOSIVES – Rule 4.08 □ Distance Prohibitions 4.08.4; Warnings 4.08.4; Control of Adverse Effects 4.08.4:

The area around the detonation cap and explosive lockers was free and clear of debris and vegetation (photo 1).

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;

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 1

Impoundments 4.05.6, 4.05.9; Stream Buffer Zones 4.05.18:

Ponds A, B, C, D, East Yard and Substation 3 all contained water but none were discharging. Ponds E, F and Hubbard Creek were dry.

Ditch D9 at the base of the Elk Creek topsoil stock pile was free of debris and had straw waddles staked in place (photo 2). Ditch D6 was free and clear of debris. Ditch D1 and D5 were free of debris and the berm between the two ditches was also in good condition (photo 3). Culvert DD and DG at the ends of ditches D1 and D5 respectively, were free and clear of debris. The culvert under the Bear Creek fan was free and clear of debris.

Where ditch D2 goes into culvert DB, there was an excessive amount of vegetation and the sediment traps were not evident (photo 4). Ditch D2 through this area needs to be cleaned out and have sediment traps installed.

A sediment trap on the West Valley Haul Road north of the cemetery needs repair.

The perimeter ditch on the east side of the II West Refuse pile is being constructed. It is currently lined with rock up to the top of the pile (photo 5). The west side perimeter ditch that needed cleaning (Aug 6, 2013 inspection report) was repaired.

PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11 □ Drainage Control; Surface Stabilization; Placement:

Coal waste was stacked on the II West Refuse Pile. The face of the waste pile was well vegetated and appeared to be stable.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

Pond E was dry but there were many thistle rosettes in the bottom of the pond (photo 6). These rosettes should be treated before the plant bolts and goes to seed next spring.

SIGNS AND MARKERS – Rule 4.02:

The main entrance sign was in place with all the required information. The topsoil pile was marked at the Elk Creek fansite and the II West Refuse pile.

TOPSOIL – Rule 4.06 □ Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:

The topsoil stockpile by the Elk Creek fan was well vegetated and was marked with a sign. The topsoil at the Sanborn Creek fansite was well vegetated and marked with a sign.

DOCUMENTS RECEIVED: none

ENFORCEMENT ACTIONS/COMPLIANCE

No enforcement actions were taken as a result of this inspection and none are pending.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 1

PHOTOGRAPHS



Photo 1 – Explosive Lockers



Photo 2 – Ditch D9



Photo 3 – Ditch D1 and D5



Photo 4 – Culverts DD and DG



Photo 5 – Ditch 2 into Culvert DB



Photo 6 – II West Refuse Pile East Ditch

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 1

AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	X-2013
Permit Application w/Revisions	X
Findings Document	X-PR-7
Insurance Certificate	X – 6/2014
Bond Document	X – 6/2011
Phased Bond Release	
Documents/Findings	
Air Emission Permits	X
County Special Use Permits	X
UG Mining Landowner Notification	X
Subsidence Monitoring Reports	X – 10/2011
Subsidence Monitoring Data	X
Rill & Gully Survey	X
Vegetation Monitoring Data	
Specific Variance Approvals	X
Annual Reclamation Reports	X – 2012
Midterm Review Documents	X – 2011
DRMS/OSM Inspection	X
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	X
Temporary Cessation Notification	
Reclamation Cost Estimate	X
CERTIFICATIONS	
Pond Certifications	X
Annual Certifications for Impoundments	X
Fill Certifications for Excess Spoil or Underground Development Waste	
• Quarterly Inspections	X – 3 Qtr
• Compaction Testing	X – 2 Qtr
• Final Certification	
Coal Processing Waste Banks	
Haul Road Certifications	X
Access Road Certifications	X

HYDROLOGIC RECORDS

NPDES Permit	X – 2009*
NPDES Records	X
Stormwater Management Plan	X
SPCC Plan	X
MSHA Pond Inspections	
State Engineer's Pond Inspection	
Quarterly Pond Inspections	X – 3 Qtr
Annual Hydrology Reports	X
• Ground Water Monitoring	X
• Surface Water Monitoring	X
• Spring & Seep Monitoring	X
• Mine Water Discharge Monitoring	
• Mine Inflow Study	X
• Water Consumption Records	X
Well Permits	X

BLASTING RECORDS

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

ADDITIONAL RECORDS

(specify)	

COMMENTS: *NPDES Permit under administrative extension – letter May 31, 2009.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 1