



STATE OF  
COLORADO

Musick - DNR, Jason <jason.musick@state.co.us>

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## Elk Creek Mine, C-1981-022, February 2021 Coal Partial Inspection

1 message

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**Musick - DNR, Jason** <jason.musick@state.co.us>

Mon, Mar 1, 2021 at 2:52 PM

To: Doug Smith <Doug.Smith@oxbow.com>

Cc: "Simmons, Leigh" <leigh.simmons@state.co.us>

Good afternoon Doug,

Attached is the Division's coal partial inspection report associated with bond release no. 4 at the Elk Creek Mine.

Please let me know if you have any questions or comments.

Thanks,  
Jason

Jason Musick  
Senior Environmental Protection Specialist



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

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**CP\_02252021.pdf**

1190K




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Mining and Safety  
Department of Natural Resources

**PERMIT INFORMATION**

<b>Permit Number:</b> C-1981-022 <b>Mine Name:</b> Elk Creek Mine <b>Operator:</b> Oxbow Mining, LLC <b>Operator Address:</b> Mr. Doug Smith 3737 Hwy 133 P. O. Box 535 Somerset, CO 81434	<b>County:</b> Delta, Gunnison <b>Operation Type:</b> Underground <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Doug Smith
<b>Operator Representative Signature: (Field Issuance Only)</b>  	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> February 25, 2021 <b>Inspection Start Time:</b> 08:30 <b>Inspection End Date:</b> February 25, 2021 <b>Inspection End Time:</b> 10:30		<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> Surety Release Requested <b>Weather:</b> Clear	
<b>Joint Inspection Agency:</b>  None		<b>Joint Inspection Contacts:</b>	
<b>Post Inspection Agency:</b>  None		<b>Post Inspection Contacts:</b>	
<b>Inspector(s):</b>  Jason Musick	<b>Inspector's Signature:</b> 		<b>Signature Date:</b>  3/1/2021

**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

Y - Backfill &amp; Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

Y - Fish &amp; Wildlife

Y - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

NA - Other

NA - Processing Waste

N - Roads

R - Reclamation Success

R - Revegetation

N - Subsidence

N - Slides and Other Damage

N - Support Facilities On-site

N - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

R - Topsoil

**COMMENTS**

This was a partial coal inspection conducted by Jason Musick of the Colorado Division of Reclamation, Mining and Safety on February 25, 2021. The purpose of this inspection was to evaluate the on-the-ground condition with respect to the Elk Creek Mine's Partial Phase I, II and III bond release application, SL-04 in accordance with Rule 3.03.2(2). Doug Smith of Oxbow Mining accompanied the inspection. The weather was clear and the ground was wet and partially snow-covered during the inspection. All areas to be inspected were accessible and visible.

Lands requested for liability release under SL-04 include Phase I, II, and III lands associated with the Sanborn Creek Mine Portals site and the Sanborn Creek Mine Fan site as Industrial/Commercial post-mining land use and Phase III lands associated with: the Hubbard Creek Fan #1 (Elk Creek Hubbard Creek Shaft); the Lower Hubbard Creek Facilities (Somerst Mine Hubbard Creek Portals); and the Bear Creek B-Seam Portal & Fan Site. Surface land ownership of the bond release area is private and Federal and Mineral ownership is private and Federal.

*RECLAMATION SUCCESS - Rule 4.15, Rule 3:*

With regard to meeting the criteria for Phase I, II, and III bond release, for the areas approved for Industrial/Commercial post mining land use. The backfilling, regrading, topsoil redistribution, and revegetation do not apply. However, no evidence of erosion or instability was observed. Both the Sanborn Creek Mine Portals Site and the Sanborn Creek Mine Fan Site were being utilized as a part of the Vessels Gas Methane project in compliance with the commercial/industrial post mining land use as approved at the time of the inspection.

With regard to the criteria for Phase III bond release, the Phase III requested reclaimed lands showed no evidence of a present or future failure to support the post-mining land use. No erosional features or bare areas were observed within the Phase III bond release areas. No evidence of surface or groundwater impacts were noted at the time of the inspection. Revegetation has been established to support the post-mining land use.

Number of Partial Inspection this Fiscal Year: 6

Number of Complete Inspections this Fiscal Year: 2



Bear Creek B-Seam Portal & Fan Site



Lower Hubbard Creek Facilities Site

Number of Partial Inspection this Fiscal Year: 6  
Number of Complete Inspections this Fiscal Year: 2





Hubbard Creek Fan #1 Site



Sanborn Creek Mine Fan Site

*REVEGETATION – Rule 4.15 Vegetative Cover; Timing:*

In order to meet the Phase III requirement, the establishment of vegetation was inspected to support the post mining land use. Vegetative cover and any observed bare areas were inspected with respect to the post mining land use and the potential for excessive contribution of suspended solids to streamflow outside of the permit area. Species composition was visually evaluated to ensure that predominate species were observed to support the post mining land use. The Elk Creek Mine's vegetation cover and diversity are acceptable and no problems were noted with revegetation at the time of the inspection. No noxious or invasive species were noted during the inspection.

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

Topsoil depths were not verified during this inspection as depths were measured previously. Records of topsoil depths are available at the Division offices. No evidence of inadequate topsoil redistribution was observed during this inspection.

**DOCUMENTS RECEIVED - NA**

**OTHER (SPECIFY) - NA**

Number of Partial Inspection this Fiscal Year: 6

Number of Complete Inspections this Fiscal Year: 2

**ENFORCEMENT ACTIONS/COMPLIANCE**

No enforcement actions were initiated as a result of this inspection, nor are any pending.

Number of Partial Inspection this Fiscal Year: 6  
Number of Complete Inspections this Fiscal Year: 2