



STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

2021 ARR Review

1 message

Simmons - DNR, Leigh <leigh.simmons@state.co.us>
To: Doug Smith <Doug.Smith@oxbow.com>

Tue, Mar 15, 2022 at 9:29 AM

Attached.

Leigh Simmons
Environmental Protection Specialist



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

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2021 ARR review.pdf
103K



Doug Smith
Oxbow Mining, LLC.
PO Box 535
Somerset, CO 81434

March 15, 2022

**Re: Elk Creek Mine (C-1981-022)
Annual Reclamation Report, 2021**

Dear Mr. Smith,

The Division has reviewed the 2021 Annual Reclamation Report (ARR) for the Elk Creek Mine.

With respect to Rule 2.04.13:

1. The report was received by the Division on February 11, 2022.
 - a. Name: Elk Creek Mine
Address: PO Box 535, Somerset, CO 81434
Permit #: C1981022
 - b. 0.0 acres were disturbed during 2021
 - c. 0.0 acres were reported as backfilled and graded during 2021
 - d. 0.0 acres were reported as topsoiled during 2021
 - e. 0.0 acres were reported as seeded during 2021
 - f. No maps were enclosed with the 2021 report, however a thorough summary was included as Exhibit 1 which details the acreage and status of the various facilities, roads and borehole pads that comprise the 239.2 disturbed acres, as well as those areas that have been reclaimed.
2. No new seed was purchased in 2021. Minor supplemental seeding of a slump near GVB 9-02B was carried out using the USFS seed mix that had been previously purchased.

Weeds including thistle, hounds tongue and whitetop were chemically treated in disturbed areas. Oxbow employees used *Curtail* and *Escort* herbicides.

Curtail is produced by Dow AgroSciences. It is a mixture of Clopyralid and 2,4-D, and is described as being for “selective control of broadleaf weeds in ... rangeland...”



Escort is produced by DuPont. It is a granular preparation of Metsulfuron methyl, and is recommended “for the control of broadleaf weeds, brush and several woody vine species in forage grasses growing in pasture and rangeland.”

Neither *Curtail* nor *Escort* have restrictions on their use in Delta County (<https://www.deltacounty.com/DocumentCenter/View/8263/Herbicide-Reference-Guide-for-Landowners?bidId=>).

Reclaimed areas were inspected for rills and gullies deeper than nine inches, but none were identified.

The Division appreciates the detail provided in the cover letter and in Exhibits 1, 2 and 3.

Issues were previously noted in the review of the 2019 ARR. A revised version of that report was not submitted, but the issues have now been corrected. A revised copy of the 2020 ARR was included with the 2021 report. Minor corrections have been made to reported acreages.

The total Acres Disturbed is reported as 239.2, which matches the permitted disturbance and is fully accounted for in Exhibit 1.

The sum of the acreage in Long-Term Facilities (59.1) and the Acres Backfilled and Graded (180.1) is equal to the Acres Disturbed.

Within the category of Long-Term Facilities, there is some discrepancy between the Division’s understanding of Permanent Facilities and those reported on the ARR, however this is expected to be resolved with permitting in the near future.

The totals given in the Bond Release section match the Division’s records. Acreages do not include SL-5, which was approved in early 2022.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leigh Simmons", is positioned above the typed name.

Leigh Simmons
Environmental Protection Specialist