



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

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: Active Ownership: Private
	Operator Representative Present: Tonya Hammond
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: May 25, 2022 Inspection Start Time: 08:30 Inspection End Date: May 27, 2022 Inspection End Time: 10:50		Inspection Type: Coal Partial Inspection Inspection Reason: Normal I&E Program Weather: Clear	
Joint Inspection Agency: Colorado Division of Water Resources		Joint Inspection Contacts: Ben Krause	
Post Inspection Agency: None		Post Inspection Contacts: None	
Inspector(s): Clayton Wein	Inspector's Signature: <i>Clayton Wein</i>		Signature Date: 6/10/2022

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
 Y - Gen. Compliance With Mine Plan
 N - Other
 N - Processing Waste

N - Roads
 Y - Reclamation Success
 N - 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
 N - Topsoil

COMMENTS

This report documents a multi-day inspection of the Roadside Portals Mine. The inspection was conducted on May 25, May 26 and May 27. The inspection was conducted in response to the Operator contacting the Division on the afternoon of May 24, 2022. The operator's representative, Tonya Hammond notified the Divisions that she had observed a ditch located to the north and east of the TR-69 Repair Area flowing with water. This ditch has not had water flowing in it during any previous inspection. The observations made by the Division during its three day inspection has been outlined by each day of the inspection below.

BACKGROUND INFORMATION:

The ditch located to the north and east of the TR-69 Repair area was first noticed by the Division during an inspection on February 26, 2018. The ditch is fed by a 4 inch pipe located to the southeast of the TR-69 Repair Area. The ditch then continues down gradient to the north and then turns to the west and follows a historic rock wall. The ditch ends at the property line between the Fontanari property and the Carey property. The ditch briefly terminates at the Ute Water District's easement for a buried pipeline. This easement is located directly east of the TR-69 Repair Area and trends in a north/south direction across Tract 71. The Division has never observed this ditch flowing with water since its creation in 2018.

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;

May 25, 2022: The inspection on May 25th started at 8:30 AM. The weather was clear with a temperature of 65 degrees F. The ground conditions were dry. The inspection was conducted by Clayton Wein of the Division. Tonya Hammond represented the operator during the inspection. The inspection party was later joined by Ben Krause of the Colorado Division of Water Resources. The inspection started at the TR-69 Repair Area. There

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were multiple sets of tire tracks observed within the reclaimed area. The tire tracks were identified running through the northern and western portions of the reclaimed area. A couple of sets of the tire tracks went over the straw wattles placed at the edge of the disturbed boundary. The ditch located along the historic rock wall was flowing with water. The water in the ditch was approximately 70 to 80 yards east of the reclaimed area at the start of the inspection. The water had not yet reached the boundary with the Ute Water easement (Approximately 15 yards west of the west hole). There were three holes observed in the bottom of the ditch east of the Ute Water easement. The Division has labeled these holes the west, middle and east holes. The east and the middle holes were receiving water from the ditch and transporting the water into the subsurface. The flow of the water in these holes was audible and could easily be seen on the surface. The west hole was damp, but not yet receiving flowing water. The water did not reach the west hole until sometime in the late morning. By the end of the inspection, water could be seen flowing into the west hole. The Division found the source of the water to be coming from a 4 inch pipe at the start of the ditch. The flow of water was estimated to be 50 to 60 gallons per minute. The Division observed that the water in the upper part of the ditch, as the ditch turns west) was crossing the Xcel Energy powerline easement. There was a shovel's width trench cut across the easement to connect the eastern portion of the ditch to the northern portion. Water was observed flowing through this trench across the easement. During the latter part of the inspection, the Division along with Snowcap and DWR observed an employee of Mr. Fontanari's working on the trench that was crossing the Ute Water easement. The Division inspected the north-facing slope on tract 71 for indications of water seepage. There were no locations on the slope with indications of water seepage. The reclaimed refuse pile and mine portals are located in close proximity to Tract 71. The Refuse pile is directly north and the portals are to the northeast. Both of these areas have been Phase III Bond Released and the Division no longer holds any bond monies for these areas. The Division also inspected the Tract 70 Mesa. The Division observed the land 2 riser pipes closest to the Mineral's Permit No. M-1996-076 flowing with water during the May 19, 2022 inspection. During the May 25, 2022 inspection, the Division observed these riser pipes to be shut off. There was no evidence of recent water flow in this location. At 12:15 PM Ben Krause met the inspection party. The Division and Snowcap showed Mr. Krause the water application to the ditch. The Division requested that Mr. Krause take into account the potential effect to the TR-69 Repair Area from the landowner's water application in the ditch. The Division and Snowcap also expressed concerns to Mr. Krause about the water entering the three holes in the ditch. The Division did not want the water traveling in the subsurface and impacting the stability of the reclaimed refuse pile and/or the reclaimed mine portals. Please reference the photographs below for the conditions observed at the site on May 25, 2022.

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This hole was completely draining water by the end of the inspection. At the start of the inspection the hole was barely accepting any water from the ditch. This hole is the furthest west in the ditch.

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This was the second hole in the ditch the Division observed receiving water from the ditch. This hole is located approximately 10 yards to the east of the western hole. The sound of water flowing into the hole could easily be heard. Some debris was over the hole's opening but not impeding flow into the hole.

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This photo was of the third hole, or the one furthest east. In the bottom of the ditch. Water was flowing into the hole and past, continuing down gradient to the other holes and towards the Ute easement.

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The image above shows the approximate location of the ditch observed with water flowing in it on May 25th. The Ditch and water flow are indicated by the blue arrow. The red dots on the blue line indicate the rough locations of the holes in the ditch observed during the inspection. The Orange arrow indicates the location of the Ute easement. The dark blue box shows the rough location of the TR-69 Repair Area. The reclaimed refuse pile can be identified in the red circle. Interstate 70 is located in the top left corner of the image in yellow.

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The trench in the photo above was created by one of Fontanari's workers during the inspection. This trench goes directly across the Ute Water pipeline. The trench connects the two sections of the ditch.

May 26, 2022: The morning of May 26th the Division conducted an inspection of the Roadside Mine with a focus on the hydrologic concerns observed during the May 25th inspection. No water was observed flowing in the ditch during this inspection. The soil in the bottom of the ditch was still damp. The damp soil was observed right up to the boundary with the Ute Water pipeline easement. There was no evidence that water had flowed over the Ute easement. The Division observed the same three holes as identified on May 25th. The west hole had rocks in it and was difficult to determine how deep the hole was. The hole had enlarged some on the surface. The middle hole had enlarged as well. A three foot wooden stake was used to try to determine the holes depth. The entire length of the wooden stake could fit in the hole and could have kept going. The hole tunnels toward the north/northwest. The east hole was similar to May 25th. Rocks at the top of the hole blocked me from determining how deep it was. During both the May 25th and 26th inspections several sets of tire tracks traversing the TR-69 Repair Area were observed. A couple of new sets of tracks were identified as new on May 26th. Tracks identified

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on May 25 and a set of tracks on May 26th had gone over the straw waddles placed on the TR-69 Repair Area boundary. The waddles were intact and still able to function as designed. A single set of tire tracks was identified during the Division's May 19th Inspection of the site. These tracks were documented in my inspection report for the May 19th site visit. Please see the photographs below for items inspected on May 26th.



The photo above is the west hole. The card in the photo is the same scale as my field notebook. The hole extends further the west and south under the surface.

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The photo above was taken of the middle hole. The hole did not appear to widen on the surface but definitely was deeper. The wooden stake in the photo is about 3 feet in length.

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The photo above is also of the middle hole. The 3 foot wooden stake fit easily in the hole and could have kept going further underground.

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This photo is of the east hole. The hole has rocks covering much of its surface. The hole does extend downwards. The water running on May 25th could be heard flowing into the subsurface at this location.

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Tire tracks observed on May 25th. The tracks go over the straw waddle to the left of the posted mine id sign.



More tire tracks observed on May 25th. The tracks were in the northern portion of the Repair Area. The tracks trended east-west.

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The tire tracks in the photo above were new and identified on May 26th. The tracks go over the straw waddle into the Repair area. The tracks were identified just to the right of the mine identification sign.

May 27, 2022: The morning of May 27th the Division conducted an inspection of the Roadside Mine with a focus on the hydrologic concerns observed during the May 25th and 26th inspections. During this inspection there was no water flowing in the ditch. There was no evidence that the ditch has been used since May 25th. Soil in the ditch was dry. The three holes the division has been inspecting in the ditch were roughly the same size as on May 26th. The holes may have increased in size a little. The west and east holes are difficult to tell if they have increased in size due to the rocks in the holes. An additional set of ATV tracks were observed to the left of the mine identification sign entering the TR-69 Repair Area. The tracks did go over the straw waddle. The waddle was still in good condition. I saw Mr. Fontanari at the end of my inspection and had a quick conversation with him regarding the ditch on Tract 71. Mr. Fontanari claimed that he plans to use the ditch to irrigate all of Tract 71 and that he would be using it again. I reminded him of the TR-69 reclamation work on Tract 71. He did not seem concerned that his ditch may impact the reclamation. Mr. Fontanari then continued to talk about his concerns of water backing up behind the mine portals as they did in 2014. That was the time he put water on Tract 71 and caused the portals to seep out water. Which lead to Snowcap Coal conducting surveys and completing work approved by Technical Revision No. 69. Please reference the photographs below for the conditions observed on May 27, 2022.

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The photo above was taken of the west hole. There was no water infiltrating the hole during the inspection. The size of the hole on the surface is similar to the May 26th inspection.

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The middle hole was approximately the same size on the surface during this inspection. No water was entering the hole.

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The east hole was also approximately the same size as on May 26th. The size of the hole is difficult to determine due to the rocks on the surface.

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The photo above was taken of the ATV tracks observed going over the straw waddle into the TR-69 Repair Area.
The tracks were just to the left of the mine identification sign.

DOCUMENTS RECEIVED: None

OTHER (SPECIFY): None

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ENFORCEMENT ACTIONS/COMPLIANCE

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

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