



STATE OF  
COLORADO

Ridley - DNR, Hunter <hunter.ridley@state.co.us>

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## Foidel Creek Mine Inspection Report

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**Ridley - DNR, Hunter** <hunter.ridley@state.co.us> Thu, Feb 9, 2023 at 1:18 PM  
To: mkawcak@peabodyenergy.com

Miranda,

Please see the attached inspection report for the Foidel Creek Mine, C- 1982-056. If you have any questions, feel free to contact me.

Kind regards,  
Hunter Ridley  
Environmental Protection Specialist

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**PERMIT INFORMATION**

<b>Permit Number:</b> C-1982-056 <b>Mine Name:</b> Foidel Creek Mine <b>Operator:</b> Twentymile Coal, LLC <b>Operator Address:</b> Ms Miranda Kawcak 29515 Routt County Road No. 27 Oak Creek, CO 80467	<b>County:</b> Routt <b>Operation Type:</b> Underground <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Miranda Kawcak
<b>Operator Representative Signature: (Field Issuance Only)</b>  	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> February 7, 2023 <b>Inspection Start Time:</b> 09:00 <b>Inspection End Date:</b> February 7, 2023 <b>Inspection End Time:</b> 12:30		<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <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>  Hunter Ridley, Michael Cunningham	<b>Inspector's Signature:</b>   <b>Signature Date:</b> 2/9/2023		

**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

N - Backfill &amp; Grading

R - Excess Spoil and Dev. Waste

N - Explosives

Y - Fish &amp; Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - Roads

N - Reclamation Success

Y - Revegetation

N - Subsidence

N - Slides and Other Damage

Y - Support Facilities On-site

Y - Signs and Markers

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

R - Topsoil

**COMMENTS**

This was a complete inspection of the Foidel Creek Mine; DRMS Permit No. C-1982-056, operated by Twentymile Coal, LLC. (TC). This inspection was conducted by Hunter Ridley and Michael Cunningham with the Colorado Division of Reclamation, Mining, and Safety (Division). Miranda Kawcak of TC accompanied the inspection. Miranda Kawcak was present during the records check. **Please address the Bold items below.**

MR322 was issued by the Division on 10/25/2022 and approved the relocation of an internal road. This new road is set to be constructed in the Spring of 2023. RN-08 is due on March 28, 2023 and is currently in progress with the Division.

**AVAILABILITY OF RECORDS – Rule 5.02.4(1):**

Records were checked at the mine office. See details at the end of report. Records can be made available to the public through paper or electronic copy. Currently, records located at the mine office are in both forms. However, in the event that the computer which holds the files is not accessible, e.g. the operator is not present to login an access records, Rule 5.02.4 would not be able to be followed. Therefore, the Division requests that all records be made available in paper form. Aside from inspection reports which must be kept for three years, all other reports such as DMRs, ARRs, AHR, pond inspections, etc. only need to be updated to the most current year.

**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:

Surface drainage around the stocker coal truck loadout appears to be controlled. The drainage from this area and the road on either side of the loadout building should be reporting to existing ponds and the gradient should be maintained to ensure any runoff from the area or cleanup of the building is able to report to existing sumps and ponds. This stoker coal support building near the Wash plant will be sealed in 2023. This drainage will then be pumped into Pond E.

Number of Partial Inspection this Fiscal Year: 5      Number of Complete Inspections this Fiscal Year: 3

Location	Holding water	discharging	source	goes to	notes
6MN Reservoir	Y	N	mine water	Recirculates mine water. Does not have a discharge pt.	
6MN ventilation shaft sed pond	Y	N	pad runoff		Usually not flowing
6MN wetlands	Y	N	Underground dewatering	6MN reservoir	Water from ponds is pumped to the 6MN reservoir, no discharge is currently approved at this site. Wetlands do not operate in Winter months
Fish Creek Tipple pond	Y	Y	Reclaimed tipple	Fish creek	Usually always flowing
Fish Creek Borehole	Y	N	mine water (w/ flock added)	Fish creek (site 115)	3 cell pond, discharge at site 115 triggers additional sampling requirements.
18LT vent shaft ponds	N	N	pad		Pad is not active
Pond F	N	N	runoff from facilities	Foidel creek	
Pond G	N	N	Surface Runoff from laydown Area	Foidel creek	Generally dry except in the Spring
Pond E	Y	Y	Facilities and roads	Foidel creek	Stoker building will drain here after it has been sealed
Area No. 1 Pond (Pit Pond)	Y	Y	mine, sumps, diversion dich	Pond D	
Pond D	Y	Y	Wash plant facilities, pit pond	Foidel creek	Catches overflow from adjacent Pit Pond, is a discharge point for mine water
Pond B	Y	N	Bob pile, road	Foidel creek	Cleaned Fall 2022
Pond C	N	N	facilities		Generally dry
Pond T	N	N	laydown area	Foidel creek	v-notch weir, culvert under railway always trickling
Facility Treatment ponds	Y	N	facilities water	GW discharge	Currently approved to go to the million gallon tank. <b>Revision is needed to update PAP.</b>

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Stream buffer zone @ train load-out	NA	NA	Buffer marked by barrels and sign.		Buffer zone was being maintained at Feb 2023 inspection. Buffer zone needs to continue to be protected from winter plowing, mag chloride, and coal overflow from train.
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**GENERAL MINE PLAN COMPLIANCE:****Ongoing Maintenance Items:**

- Protect topsoil piles from cattle
- Reseed topsoil piles, pad slopes, and pipeline corridors, at the newer pads ( 15 left— 18 left)
- Reestablish portal ditch, clear-out cattails and any non-coal waste
- Reestablish ditch F behind the warehouse pad
- Topsoil pile at the 7E cement drop pad will need to be used to reclaim the site or shaped and seeded.
- Spray weeds and Reseed the waste pile topsoil pile
- Protect topsoil piles along the 6MN road during maintenance and snow plowing activities
- Remove rock dust from 6 NM Reservoir facility pad.
- Seal support building near Wash Plant (Spring 2023)

**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 in good condition and recently plowed.

**TOPSOIL— Rule 4.06** Removal 4.06. 2; Substitute Materials 4.06.4(4); Storage and Protection 4.06. 3; Redistribution 4.06A

Topsoil piles were appropriately marked throughout the site and snow plowing was not interfering with topsoil piles near roads. Small tufts of vegetation were visible through the snow on some piles.

**EXCESS SPOIL AND DEV. WASTE – Rule 4.09**

Placement; Drainage Control; Surface Stabilization: No standing water was present on the pile. Loads are placed in piles in Winter months when snow is present to avoid improper compaction when the snow melts. Piles will be leveled and compacted in the Spring/Summer season.

**DOCUMENTS RECEIVED****OTHER (SPECIFY)****ENFORCEMENT ACTIONS/COMPLIANCE**

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

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## **PHOTOGRAPHS**



Photo 1: Mine sign and site identification present at entrance to the mine

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Photo 2: Pond G is dry this time of year but may discharge in the Spring



Photo 3: Pond F is dry this time of year. Small building to the right is the Emerald Springs pump house which is a historic spoil spring from the previous surface mine.

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Photo 4: Pit Pond which discharges into Pond D, mainly functions as a holding for mine water



Photo 5: Pond D discharges mine water, ducks were seen swimming on the pond

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Photo 6: Pond C which is generally dry most of the year, is used as a catchment for general facilities runoff



Photo 7: Taken atop the coal refuse pile area, refuse piles will be compacted after snowmelt to avoid structural issues

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**AVAILABILITY OF RECORDS****PERMIT RECORDS**

DRMS Permit	Exp 5/23/2023
Permit Application w/Revisions	RN-08
Findings Document	***RN7
Insurance Certificate	Exp 08/01/2023
Bond Document	***\$10,862,794
Phased Bond Release	SL1
Documents/Findings	RN7
Air Emission Permits	*93RO1204
County Special Use Permits	Exp 8/26/2024
UG Mining Landowner Notification	05/10/2016 (Rule 4.20.2)
Subsidence Monitoring Reports	3Q2021 next due Annual on 3/1
Subsidence Monitoring Data	3Q2021 next due Annual on 3/1
Rill & Gully Survey	NA
Vegetation Monitoring Data	NA
Specific Variance Approvals	NA
Annual Reclamation Reports	2021
Midterm Review Documents	***MT8
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Through March 2022
Transfers/Succession of Operator	NA
Temporary Cessation Notification	NA
Reclamation Cost Estimate	TR96, please update with most recent MR322

**CERTIFICATIONS**

Pond Certifications	***3Q 2022
Annual Certifications for Large Impoundments	4Q2022
Fill Certifications for Excess Spoil or Underground Development Waste	4Q2022
• Quarterly Inspections	4Q2022
• Compaction Testing	4Q2022

**HYDROLOGIC RECORDS**

NPDES Permit	**In review, OK
NPDES Records	*** August 2022
Stormwater Management Plan	2013 (will be updated w/new discharge permit)
SPCC Plan	2011
MSHA Pond Inspections	Dec 2022
State Engineer's Pond Inspection	NA
Quarterly Pond Inspections	***4Q2022
Annual Hydrology Reports	***2021
• Ground Water Monitoring	AHR
• Surface Water Monitoring	AHR
• Spring & Seep Monitoring	AHR
• Mine Water Discharge Monitoring	AHR
• Mine Inflow Study	AHR
• Water Consumption Records	AHR
Well Permits	OK, wells not permanent
Blasting Publication	NA
Blasting Records (3 years)	NA
ATFE Explosives Permit	Exp 9/1/2023

**BLASTING RECORDS**

Blasting Variances	NA
Pre-Blast Surveys	NA

**ADDITIONAL RECORDS (specify)**

Colo. 811-02 CO Radioactive Materials license	Exp. 10/31/23
Stormwater Annual CLR permit	Feb 2022 (due 2/15/2023)

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• Final Certification	NA	County special use permit	Exp. 8/2024
Coal Processing Waste Banks	4Q2022	PP2014-035	
Haul Road Certifications	***OK		
Access Road Certifications	NA		

## COMMENTS:

\* – Air Emissions Permit is issued dated January 31<sup>st</sup> 2019 and expires in 5 years from date (2024) APEN received by the CDPHE.

\*\* - Discharge Permits – COG850051 exp 6/30/2013, COG850054 exp 6/30/2013, COG0042161 exp 6/30/2012, CO0027154 exp 8/31/2012, CO0036684 exp 4/30/2012 New permits (2022 updates) comments in CDPHE review

\*\*\*A majority of larger records documents are kept digitally in a publically available computer at the site office.

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