



STATE OF  
COLORADO

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

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## Foidel Creek Inspection Report

1 message

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

Mon, May 1, 2023 at  
11:21 AM

To: "Kawcak, Miranda" <mkawcak@peabodyenergy.com>

Miranda,

Please find attached the inspection report for Foidel Creek dated April 25, 2023. Please note there are several items in bold noted in the report which require followup action. Let me know if you have any questions or concerns.

Kind regards,  
Hunter Ridley  
Environmental Protection Specialist



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

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**Foidel\_April\_CP.pdf**  
3706K



**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> April 25, 2023 <b>Inspection Start Time:</b> 11:00 <b>Inspection End Date:</b> April 25, 2023 <b>Inspection End Time:</b> 13:00		<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Raining/Snowing	
<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	<b>Inspector's Signature:</b>  <i>Hunter Ridley</i>		<b>Signature Date:</b>  5/1/2023

**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

N - Revegetation

R - Subsidence

N - Slides and Other Damage

Y - Support Facilities On-site

R - Signs and Markers

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

R - Topsoil

**COMMENTS**

This was a partial 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 with the Colorado Division of Reclamation, Mining, and Safety (Division). Miranda Kawcak of TC accompanied the inspection. **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 has been extended to a decision date of May 5, 2023 and is currently in progress with the Division.

**SIGNS AND MARKERS—Rule 4.02**

Mine identification markers were observed throughout the site (Photo 1). All information for compliance was present. The missing phone number information on mine signs for HG Loadout and Peabody Sage Creek Mine (see related inspection reports dated March 30, 2023) was discussed with the TC representative. **Please update the Division when signage has been appropriately amended.**

**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 maintained and most were drivable. However, certain areas of the operation such as the refuse pile, Fish Creek Tipple area, Pond D, and 6MN area were extremely muddy and inaccessible.

**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:

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Buffer zones appear to be maintained. Vegetation was present within these zones and appropriate signage delineated the edge of the buffer zone which protects Foidel Creek (Photos 4 and 7).

Nearly all ponds on site were holding water and discharging due to the recent rapid snowmelt and flooding events seen in this area of Routt County (Photos 5, 9, 10, and 11). Operator noted that continuous maintenance work was being done in the last few weeks to repair minor damages to existing water management structures as a result of this flooding. Culverts visible from the roadways were flowing and free of blockages (Photo 8).

Location	Holding water	discharging	source	goes to	notes
6MN Reservoir	Y	Y	mine water	Recirculates mine water. Does not have a discharge pt.	
6MN ventilation shaft sed pond	Y	Y	pad runoff		Usually not flowing
6MN wetlands	Y	Y	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	Y	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	Y	Y	runoff from facilities	Foidel creek	
Pond G	Y	Y	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	Y	Bob pile, road	Foidel creek	Cleaned Fall 2022
Pond C	Y	Y	facilities		Generally dry

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Pond T	N	N	laydown area	Foidel creek	v-notch weir, culvert under railway always trickling
Facility Treatment ponds	Y	Y	facilities water	GW discharge	Currently approved to go to the million gallon tank. <b>Revision is needed to update PAP.</b>
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.

## 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)

The operator informed the EPS that underground longwall panel layouts in the 6E area are being reconfigured. The operator inquired as to whether revised maps and or text would need to be submitted to the Division to reflect this change. The Division requires a minor revision to update the mine plan maps, as appropriate.

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 (Photos 2, 3, 5, and 6). Last season's vegetation was still visible in small tufts on topsoil piles and along berms. TC representative noted that topsoil piles will be reseeded in the spring as rapid snowmelt has likely caused small erosional features on some of the piles.

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

Placement; Drainage Control; Surface Stabilization: Due to muddy road conditions, the refuse area was not able to be accessed. However, in general discussion with the operator, a correction was made to the previous report's

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statement that the refuse pile is currently operating in the original refuse disposal area. Correction: the site is currently utilizing the refuse expansion area which was added under TR 67.

Two lifts of the refuse pile are already built, faced, and seeded (Photo 12). Lifts three and four are still under construction, with plans to face and seed these two lifts in the current year. Lifts are built facing downslope to encourage proper drainage into Pond D. Clay overburden material is then taken from the southern portion of the refuse area to cover the pile before adding topsoil from the nearby stockpile to the northeast.

Compaction reports are conducted quarterly. The last noted compaction report received by the Division was for the 4<sup>th</sup> Quarter 2016. **In order to complete the public record, please submit all missing compaction reports, from 1<sup>st</sup> Quarter 2017 to present, to the Division and continue to submit these reports on a timely basis.**

SUBSIDENCE – Rule 4.20

The inspection report dated January 18, 2023 discussed the approval of a new due date for Foidel Creek Mine's annual subsidence reports. The 2022 annual subsidence report was due to the Division on March 1, 2023. **Please submit this report to the Division as soon as possible to remain in compliance with Foidel's annual report requirement.**

### **ENFORCEMENT ACTIONS/COMPLIANCE**

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

### **PHOTOGRAPHS**



*Photo 1: Appropriate signage and mine identification information was present at the entrance to the mine site.*

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*Photo 2: Topsoil piles throughout the site are appropriately marked and undisturbed by the winter season's snow plowing. Piles will be reseeded later in the spring.*



*Photo 3: View of the coal stoker loadout building. Berm leading up to this area is maintained with tufts of vegetation from last season still visible. A flooded Foidel Creek is visible behind the stoker loadout building.*

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*Photo 4: View northwest of Foidel Creek, creek location post markers and yellow buffer zone signs are visible.*



*Photo 5: Pond E, currently discharging. Berm is maintained.*

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*Photo 6: View southwest of Foidel Creek. A conveyor is seen to the south. Photo was taken atop the berm to the north which is maintained and still vegetated from last season.*



*Photo7: View east of Foidel Creek. Large amounts of snowmelt have flooded Foidel Creek considerably, poles marking the creek location are visible in the flooded channel.*

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*Photo 8: Culvert which discharges Pond C, freely flowing.*



*Photo 9: Ponds B, currently discharging.*

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*Photo 10: View northeast of Pond F. Ditch is functioning properly to divert the large amounts of snowmelt flooding into Pond F.*



*Photo 11: Pond G, generally dry except in the spring.*

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*Photo 12: View south from Hwy 40 of Belt Out Back (BOB) pile, refuse area, and the flooded Foidel Creek channel.*

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