



STATE OF  
COLORADO

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

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## C1983059, Terror Creek Loadout, May Inspection Report

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

Wed, May 24, 2023 at 6:26 PM

Attached

Leigh Simmons  
Environmental Protection Specialist



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

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**INSP-REPORTC\_C1983059\_LDS\_05242023061548.pdf**  
1377K



**PERMIT INFORMATION**

<b>Permit Number:</b> C-1983-059 <b>Mine Name:</b> Terror Creek Loadout <b>Operator:</b> Oxbow Mining, LLC <b>Operator Address:</b> Mr Doug Smith PO Box 535 Paonia, CO 81434	<b>County:</b> Delta <b>Operation Type:</b> Loadout <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> May 16, 2023 <b>Inspection Start Time:</b> 14:00 <b>Inspection End Date:</b> <b>Inspection End Time:</b>	<b>Inspection Type:</b> Coal Partial 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>  Leigh Simmons	<b>Inspector's Signature:</b>  <b>Signature Date:</b>  May 24, 2023

**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  
N - Hydrologic Balance  
N - Gen. Compliance With Mine Plan  
R - Other  
N - Processing Waste

N - Roads  
N - Reclamation Success  
R - Revegetation  
N - Subsidence  
N - Slides and Other Damage  
R - Support Facilities On-site  
N - Signs and Markers  
N - Support Facilities Not On-site  
N - Special Categories Of Mining  
N - Topsoil

**COMMENTS**

This was a partial inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division), accompanied by Doug Smith of Oxbow Mining (Oxbow). The weather was clear and dry. There was no activity at the site, and no sign of any recent disturbance.

**OTHER (SPECIFY):**

Access between the Terror Creek Loadout and the Oxbow office at the Elk Creek Mine was complicated by the closure of Highway 133 at Bear Creek where the road had washed out. No estimated time was known for either temporary or permanent repairs.

**REVEGETATION – Rule 4.15****Vegetative Cover; Timing:**

Oxbow staff had been spraying weeds at the site earlier in the day and for the days preceding. Whitetop (Hoary cress, *Lepidium draba*) was very prevalent at the site at the time of the inspection, presumably the wet winter and spring had created particularly favorable conditions this year, since it seemed more widespread around the area than in recent years.

**SUPPORT FACILITIES - Rule 4.04:**

The broken window in the office building had been repaired and the building was secure.

**DOCUMENTS RECEIVED**

N/A

**OTHER (SPECIFY)**

N/A

**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: 7

Number of Complete Inspections this Fiscal Year: 4



## **PHOTOGRAPHS**



*Figure 1: Whitetop, recently sprayed*



*Figure 2: Overview of site, looking to the south west*

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*Figure 3: Road damage to Hwy 133 at Bear Creek*

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