



STATE OF
COLORADO

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

C1981022, Elk Creek Mine, August Inspection Report

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

Fri, Aug 25, 2023 at 6:09 PM

Attached

Leigh Simmons
Environmental Protection Specialist



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

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INSP-REPORTC_C1981022_LDS_08252023055928.pdf
2383K



PERMIT INFORMATION

Permit Number: C-1981-022 Mine Name: Elk Creek Mine Operator: Oxbow Mining, LLC Operator Address: Mr Doug Smith 3737 Hwy 133 P. O. Box 535 Somerset, CO 81434	County: Delta, Gunnison Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: None
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: August 15, 2023 Inspection Start Time: 11:00 Inspection End Date: Inspection End Time:	Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Clear
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Leigh Simmons	Inspector's Signature:  Signature Date: August 25, 2023

Inspection Topic Summary

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

N - Air Resource Protection

R - Availability of Records

N - Backfill & Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

N - Gen. Compliance With Mine Plan

N - 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 complete inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was hot, clear and dry. The status of the Elk Creek Mine is “active” however no coal is being mined and the only activity since the last inspection was site maintenance.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were available in the mine office, details are given at the end of this report.

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:

Elk Creek was virtually dry. Repairs to the stream channel had been made by Tribble and Sons of Hotchkiss, CO. The channel appeared to have been broadened in the area where it was damaged which should allow future high stream flows to spread out and slow down. The channel will continue to be monitored until the site is fully released.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

Scotch Thistle identified in the last inspection report had been effectively treated.

SUPPORT FACILITIES - Rule 4.04:

Hubbard Creek road was passable all the way to the trailhead for USFS trail 704, north of the upper Hubbard Creek Area. The Upper Hubbard Creek pad was covered in annual vegetation. Noxious weeds did not appear to be a problem at the time of the inspection, however the area should be monitored.

Access to the Hubbard Creek fan-site had been blown out during the spring run-off. Tribble and Sons of Hotchkiss, CO had been contracted to complete repairs. An excavator, two large sections of steel culvert and a pile of gravel were on site ready for work to begin. The Hubbard Creek fan-site received phase III bond release with SL-4, however it is still within the permit area.

Number of Partial Inspection this Fiscal Year: 1

Number of Complete Inspections this Fiscal Year: 1

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.

PHOTOGRAPHS

Figure 1: Blown out access to Hubbard Creek fan-site

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Figure 2: Material and equipment staged for repairs



Figure 3: Repaired Elk Creek stream channel

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Figure 4: Regraded access to Elk Creek stream channel



Figure 5: Treated Scotch Thistle

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Oct 11, 2023
Permit Application w/Revisions	Y
Findings Document	MT-8
Insurance Certificate	Jun 1, 2024
Bond Document	\$2M
Phased Bond Release Documents/Findings	SL-1 through 7

Air Emission Permits	Cancelled
County Special Use Permits	Y, 1997
UG Mining Landowner Notification	Y
Subsidence Monitoring Reports	Y, Oct 2022
Subsidence Monitoring Data	Y
Rill & Gully Survey	Y (ARR)

Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	2022

Midterm Review Documents	MT-8
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Through 7/23

Transfers/Succession of Operator	Y
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	SI-1/SR-2

CERTIFICATIONS

Pond Certifications	Y
Annual Certifications for Impoundments	n/a

Fill Certifications for Excess Spoil or Underground Development Waste	
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• Quarterly Inspections	Q2, 2023
Haul Road Certifications	Y
Access Road Certifications	Y

HYDROLOGIC RECORDS

NPDES Permit	Exp. Sep 30, 2024
NPDES Records	DMR, 7/23
Stormwater Management Plan	Oct 15, 2019
SPCC Plan	Oct 15, 2019
MSHA Pond Inspections	n/a
State Engineer's Pond Inspection	n/a

Quarterly Pond Inspections	Q2, 2023
Annual Hydrology Reports	2022
• Ground Water Monitoring	Y

• Surface Water Monitoring	Y
• Spring & Seep Monitoring	Y
• Mine Water Discharge Monitoring	Y
• Mine Inflow Study	Y
• Water Consumption Records	n/a
Well Permits	195278-195286, 197377, 197378

BLASTING RECORDS

Blasting Publication	n/a
Blasting Records (3 years)	n/a
ATFE Explosives Permit	Exp. Jun 1, 2015
Blasting Variances	n/a
Pre-Blast Surveys	n/a

ADDITIONAL RECORDS (specify)

COMMENTS:

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