



STATE OF
COLORADO

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

C1983059, Terror Creek Loadout, August Inspection Report

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Fri, Aug 25, 2023 at 5:35 PM

To: Doug Smith <Doug.Smith@oxbow.com>

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_08252023052306.pdf


1244K



PERMIT INFORMATION

Permit Number: C-1983-059 Mine Name: Terror Creek Loadout Operator: Oxbow Mining, LLC Operator Address: Mr Doug Smith PO Box 535 Paonia, CO 81434	County: Delta Operation Type: Loadout 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

N - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

N - Roads

N - 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 was a complete inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was hot, clear and dry. The gate to the site was open and contractors with Tribble and Sons were on site.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were available at the Elk Creek mine office. Details are given at the end of this report.

GENERAL MINE PLAN COMPLIANCE:

Four shipping containers had been brought to the site.

Three workers with Tribble and Sons of Hotchkiss, CO were on site, working under the direction of Dillain Gage of Gunnison Energy, LLC. Equipment belonging to the contractors included a water truck, two graders, a sheep's foot compactor and a mini compactor. Work was underway to regrade and compact the existing pad material. Gravel was being brought to the site using a dump truck from Hotchkiss, by United Companies.

Jake Tribble said that asphalt was intended to go on top of the gravel, but that would be handled by a sub-contractor.

Minor Revision no. 33 (MR-33) is currently under review by the Division; until MR-33 is approved no asphalt is permitted to be brought to the site.

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: 1

Number of Complete Inspections this Fiscal Year: 1

PHOTOGRAPHS



Figure 1: Four containers, water truck, mini compactor



Figure 2: Two graders, sheep's foot compactor and dump truck

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Number of Complete Inspections this Fiscal Year: 1



Figure 3: Regrading and compaction in progress. Gravel being brought to site

Number of Partial Inspection this Fiscal Year: 1

Number of Complete Inspections this Fiscal Year: 1

AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Exp. 8/23/23*1
Permit Application w/Revisions	Yes
Findings Document	RN-07*1
Insurance Certificate	6/1/2024
Bond Document	\$290,000
Phased Bond Release	N/A
Documents/Findings	
Air Emission Permits	Terminated 2018
County Special Use Permits	Yes
UG Mining Landowner Notification	N/A
Subsidence Monitoring Reports	N/A
Subsidence Monitoring Data	N/A
Rill & Gully Survey	N/A

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)	7/23
Transfers/Succession of Operator	SO-01
Temporary Cessation Notification	N/A
Reclamation Cost Estimate	MT-8*1

CERTIFICATIONS

Pond Certifications	Yes
Annual Certifications for Impoundments	N/A

Fill Certifications for Excess Spoil or Underground Development Waste

- Quarterly Inspections
- Compaction Testing
- Final Certification

Coal Processing Waste Banks

Haul Road Certifications

Access Road Certifications

HYDROLOGIC RECORDS

NPDES Permit	*2
NPDES Records	Q2 2023
Stormwater Management Plan	Yes
SPCC Plan	Yes
MSHA Pond Inspections	N/A
State Engineer's Pond Inspection	N/A
Quarterly Pond Inspections	Q2 2023
Annual Hydrology Reports	2022
• Ground Water Monitoring	AHR
• Surface Water Monitoring	AHR
• Spring & Seep Monitoring	N/A
• Mine Water Discharge Monitoring	N/A
• Mine Inflow Study	N/A
• Water Consumption Records	N/A
Well Permits	Yes

BLASTING RECORDS

Blasting Publication	N/A
Blasting Records (3 years)	N/A
ATFE Explosives Permit	N/A
Blasting Variances	N/A
Pre-Blast Surveys	N/A

ADDITIONAL RECORDS (specify)**COMMENTS:**

*1 Please update the file with the signed permit document, findings and cost estimate for RN-8

*2 CDPS permit expired June 30, 2013; administratively extended. Oxbow Mining, LLC. understands that WQCD intend to terminate discharge permit pending implementation of approved land-use change

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