

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

C1983059, Terror Creek Loadout, August Inspection Report

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

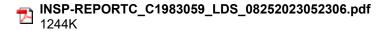
Fri, Aug 25, 2023 at 5:35 PM

Attached

Leigh Simmons **Environmental Protection Specialist**



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PERMIT INFORMATION

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Permit Number: C-1983-059 Mine Name: Terror Creek Loadout Operator: Oxbow Mining, LLC Operator Address: Mr Doug Smith	County: Delta Operation Type: Loadout Permit Status: Active Ownership: Private	
PO Box 535	Operator Representative Present:	
Paonia, CO 81434		
,	None	
Operator Representative Signature: (Field Issuance Only)		

INSPECTION INFORMATION

Inspection Start Date: August 15 Inspection Start Time: 11:00 Inspection End Date: Inspection End Time:	5, 2023		Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Clear	
Joint Inspection Agency: J		Joint	Joint Inspection Contacts:	
None				
Post Inspection Agency:		Post Inspection Contacts:		
None				
Inspector(s):	Inspecto	r's Sig	nature: Signature Date:	
Leigh Simmons	Di		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 N - Roads

R - Availability of Records **N** - Reclamation Success

N - Backfill & Grading N - Revegetation

N - Excess Spoil and Dev. Waste N - Subsidence

N - Explosives
 N - Slides and Other Damage
 N - Fish & Wildlife
 N - Support Facilities On-site
 N - Signs and Markers

R - Gen. Compliance With Mine Plan
 N - Support Facilities Not On-site
 N - Other
 N - Special Categories Of Mining

N - Processing Waste 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 <u>Partial</u> Inspection this Fiscal Year: 1 Number of <u>Complete</u> 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

Number of <u>Partial</u> Inspection this Fiscal Year: 1 Number of <u>Complete</u> Inspections this Fiscal Year: 1



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

AVAILABILITY OF RECORDS

PERMIT RECORDS DRMS Permit Permit Application w/Revisions Findings Document Insurance Certificate Bond Document Phased Bond Release Documents/Findings Air Emission Permits County Special Use Permits UG Mining Landowner Notification	Exp. 8/23/23*1 Yes RN-07*1 6/1/2024 \$290,000 N/A Terminated 2018 Yes N/A	HYDROLOGIC RECORDS NPDES Permit NPDES Records Stormwater Management Plan SPCC Plan MSHA Pond Inspections State Engineer's Pond Inspection Quarterly Pond Inspections Annual Hydrology Reports • Ground Water Monitoring	*2 Q2 2023 Yes Yes N/A N/A Q2 2023 2022 AHR
Subsidence Monitoring Reports	N/A	Surface Water Monitoring	AHR
Subsidence Monitoring Data	N/A	Spring & Seep Monitoring	N/A
Rill & Gully Survey	N/A	Mine Water Discharge Monitoring	N/A
Vegetation Monitoring Data	N/A	 Mine Inflow Study 	N/A
Specific Variance Approvals	N/A	Water Consumption Records	N/A
Annual Reclamation Reports	2022	Well Permits	Yes
Midterm Review Documents	MT-8		
DRMS/OSM Inspection	7/23	BLASTING RECORDS	
Reports/Enforcement Actions (3			
Years)			
Transfers/Succession of Operator	SO-01	Blasting Publication	N/A
Temporary Cessation Notification	N/A	Blasting Records (3 years)	N/A
Reclamation Cost Estimate	MT-8*1	ATFE Explosives Permit	N/A
CERTIFICATIONS		Blasting Variances	N/A
Pond Certifications	Yes	Pre-Blast Surveys	N/A
Annual Certifications for Impoundments	N/A		
Fill Certifications for Excess Spoil or Underground Development Waste	N/A	ADDITIONAL RECORDS (specify)	
 Quarterly Inspections 	N/A		
• Compaction Testing	N/A		
 Final Certification 	N/A		·
Coal Processing Waste Banks	N/A		
Haul Road Certifications	Yes		
Access Road Certifications	N/A		

COMMENTS:

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^{*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