



U.S. DEPT. OF THE INTERIOR  
OFFICE OF SURFACE MINING  
Mine Site Evaluation  
State Program



<b>1. Permittee/Person</b> TWENTYMILE COAL LLC		<b>9. Permit Number</b> C-82-056		<b>10. Permit Type</b> PP	
<b>2. Address</b> 701 MARKET STREET SUITE 718		<b>11. Field Visit Date</b> 10/12/2023 <small>mm - dd - yyyy</small>		<b>12. Purpose</b> O	
<b>3. City</b> ST. LOUIS		<b>13. SRA Present</b> Y		<b>14. Permit Status</b> A	
<b>4. State</b> MO		<b>15. Site Status</b> AP		<b>16. Facility Type</b> B	
<b>5. Zip Code</b> 63101		<b>17. OSM Office #</b> 141		<b>18. CCID #</b> 	
<b>6. Phone Number</b> (314) 342-7705		<b>19. Land Code</b> F		<b>20. M.S.H.A. ID #</b> 05-03836	
<b>7. Operator Name, if Different than Permittee</b> TWENTYMILE COAL LLC		<b>21. State Abbrev.</b> CO		<b>22. County/Burrough</b> ROUTT	
<b>8. Mine Name</b> FOIDEL CREEK		<b>23. AVS Permittee Entity ID Number</b> 249995		<b>24. State Office</b> 	
<b>25. Hours</b> 2.0 a. Permit Review 3.0 b. Site Visit Time 6.0 c. Travel Time 10.0 d. Report Writing		<b>26. Signature Block</b> Signature: Daniel MacKinnon, ID#554 Inspector's Name: Date: 11/8/2023		<b>27. Reviewing Official:</b> Signature: Howard Strand Reviewer's Name: Date: 11/8/2023	
<b>Permit Type - Item 10</b> IP = Interim Program PP = Permanent Program NP = No Permit					
<b>Purpose Type Codes - Item 12</b> Oxx...Oversight Rfx...Reclamation Fees CCR...Citizen Complaint Referral (non-site visit) Axx...Assistance Fxx...Federal Actions CC...Citizen Complaint (initial site visit) CCF...Assistance					
<b>Joint Inspection - Item 13</b> A joint inspection is when a state inspector accompanies an OSM inspector at any time during the review of the mine site					
<b>Permit Status - Item 14</b> A Active: Coal mining activities occurring or permitted but not yet disturbed. IN Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit): Coal mining completed and reclamation activities initiated. BR Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release). AB Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840:11(g). AB1 Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced. AB2 Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards. AB3 Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards. NA Not Applicable: When site is unpermitted.					
<b>Site Status - Item 15</b> ND No Disturbance: No coal mining and reclamation operations have been started. EX Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun. AP Active Coal Producing: Coal surface mining activities are occurring. AN Active Non-Producing: Active non-producing facility such as tipple or preparation plant. NM No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded. MC Mining Complete: No mining activity on site, site regraded and awaiting bond release. TC Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817:13(b). P1 Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release. P2 Phase II Release: At least Phase II bond release for the entire permitted area. P3 Phase III Release: Reclamation completed and the RA has released all bond. NS Non-Site Visit: Status of site not determined. FP Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress. FR Forfeited and Reclaimed: Forfeiture reclamation completed. FO Abandoned Site: Abandoned site that is permitted but there is no bond. WC Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.					
<b>Facility Type Codes - Item 16</b> A...Surface D...Ancillary (Haulroad, Conveyor, and/or Rails) H...Exploration Permits K...Government Financed Construction Exemption B...Underground E...Refuse and/or Impoundment I...Notice of Intent to Explore L...Remining site permitted under 30 CFR 785.25 C...Preparation Plant F...Loading Facility and/or Tipple J...Exempt 16 and 2/3 G...Stockpiles					
<b>Small Business Regulatory Enforcement Fairness Act (SBREFA)</b> <b>Your Comments are Important</b> The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).					

U.S. DEPT. OF THE INTERIOR  
OFFICE OF SURFACE MINING  
Mine Site Evaluation

Permittee/  
Person TWENTYMILE COAL LLC

Permit  
Number C-82-056

Field Visit  
Date 10/12/2023

State Program  
Continuation Page

## 28. Performance Standard Categories

Codes:1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

### A. Administrative

1.        Mining within Valid Permit
2.        Mining within Bonded Area
3.        Terms & Conditions of Permit
4.        Liability Insurance
5.        Ownership and Control
6.        Temporary Cessation
7.        AML Rec. Fees - Non-Respondent
8.        AML Rec. Fees - Failure to Pay

### B. Hydrologic Balance

1.   1   Drainage Control
2.        Inspections & Certifications
3.   1   Siltation Structures
4.   1   Discharge Structures
5.   1   Diversions
6.        Effluent Limits
7.        Ground Water Monitoring
8.        Surface Water Monitoring
9.        Drainage - Acid-Toxic Materials
10.   1   Impoundments
11.        Stream Buffer Zones

### C. Topsoil & Subsoil

1.        Removal
2.        Substitute Materials
3.        Storage and Protection
4.        Redistribution

### D. Backfilling & Grading

1.        Exposed Openings
2.        Contemporaneous Reclamation
3.        Approximate Original Contour
4.        Highwall Elimination
5.        Steep Slopes (includes downslope)
6.        Handling of Acid and Toxic Materials
7.        Stabilization (rills and gullies)

### E. Excess Spoil Disposal

1.   1   Placement
2.   1   Drainage Control
3.   1   Surface Stabilization
4.        Inspections & Certifications

### F. Coal Mine Waste (Refuse Piles/Impoundments)

1.        Drainage Control
2.        Surface Stabilization
3.        Placement
4.        Inspections & Certifications
5.        Impounding Structures

### G. Use of Explosives

1.        Blaster Certification
2.        Distance Prohibitions
3.        Blast Survey/Schedule
4.        Warnings & Records
5.        Control of Adverse Effects

### H.        Subsidence Control Plan

#### I. Roads

1.   1   Road Construction
2.        Certification
3.   1   Drainage
4.   1   Surfacing and Maintenance
5.        Reclamation

#### J. Signs & Markers

1.        Signs
2.        Markers

#### K.        Distance Prohibitions

#### L. Revegetation

1.        Vegetative Cover
2.        Timing

#### M.        Postmining Land Use

#### N. Other

General  
Performance  
Category

## Performance Standard Categories 30 CFR Counterparts

### A. Administrative

- |                                   |                         |
|-----------------------------------|-------------------------|
| 1. Valid Permit                   | 773.11                  |
| 2. Mining within Bonded Area      | 773.11                  |
| 3. Terms & Conditions of Permit   | 773.17                  |
| 4. Liability Insurance            | 800.60                  |
| 5. Ownership and Control          | 778.13                  |
| 6. Temporary Cessation            | 842.11(e) & 816/817.131 |
| 7. AML Rec. Fees - Non-Respondent | 870.15(b)               |
| 8. AML Rec. Fees - Failure to Pay | 870.15(a)               |

### B. Hydrologic Balance (816/817.41-57)

- |                                     |           |
|-------------------------------------|-----------|
| 1. Drainage Control                 | 45        |
| 2. Inspections & Certifications     | 49(a)(10) |
| 3. Siltation Structures             | 46        |
| 4. Discharge Structures             | 47        |
| 5. Diversions                       | 43        |
| 6. Effluent Limits                  | 42        |
| 7. Ground Water Monitoring          | 41(c)     |
| 8. Surface Water Monitoring         | 41(e)     |
| 9. Drainage--Acid - Toxic Materials | 41(f)     |
| 10. Impoundments                    | 49        |
| 11. Stream Buffer Zones             | 57        |

### C. Topsoil & Subsoil (816/817.22)

- |                           |       |
|---------------------------|-------|
| 1. Removal                | 22(a) |
| 2. Substitute Materials   | 22(c) |
| 3. Storage and Protection | 22(c) |
| 4. Redistribution         | 22(d) |

### D. Backfilling & Grading (816/817.95-107)

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| 1. Exposed Openings                   | 816/817.13, 14, 15, & 823.11 & 21 |
| 2. Contemporaneous Reclamation        | 100                               |
| 3. Approximate Original Contour       | 102(a)(1)                         |
| 4. Highwall Elimination               | 102(a)(2)                         |
| 5. Steep Slopes (includes downslope)  | 107                               |
| 6. Handling of Acid & Toxic Materials | 102(c)                            |
| 7. Stabilization (rills and gullies)  | 95(b)                             |

### E. Excess Spoil Disposal (816/817.71-74)

- |                                 |       |
|---------------------------------|-------|
| 1. Placement                    | 71(e) |
| 2. Drainage Control             | 71(f) |
| 3. Surface Stabilization        | 71(g) |
| 4. Inspections & Certifications | 71(h) |

### F. Coal Mine Waste (Refuse Piles/Impoundments) (816/817.81-84)

- |                                   |       |
|-----------------------------------|-------|
| 1. Drainage Control               | 83(a) |
| 2. Surface Stabilization          | 83(b) |
| 3. Placement                      | 83(c) |
| 4. Inspections and Certifications | 83(d) |
| 5. Impounding Structures          | 84    |

### G. Use of Explosives (816/817.61-68)

- |                               |         |
|-------------------------------|---------|
| 1. Blaster Certification      | 61(c)   |
| 2. Distance Prohibitions      | 61(d)   |
| 3. Blast Survey/Schedule      | 62-64   |
| 4. Warnings & Records         | 66 & 68 |
| 5. Control of Adverse Effects | 67      |

### H. Subsidence Control Plan (817.121-122)

### I. Roads (816/817.150-151)

- |                              |               |
|------------------------------|---------------|
| 1. Road Construction         | 150(c)        |
| 2. Certification             | 151(a)        |
| 3. Drainage                  | 150(b)-151(d) |
| 4. Surfacing and Maintenance | 150(e)-151(d) |
| 5. Reclamation               | 150(f)        |

### J. Signs & Markers (816/817.11)

- |            |                       |
|------------|-----------------------|
| 1. Signs   | 11(a),(b),(c)         |
| 2. Markers | 11(a),(b),(d),(e),(f) |

### K. Distance Prohibitions (761.11)

### L. Revegetation (816/817.111-116)

- |                     |           |
|---------------------|-----------|
| 1. Vegetative Cover | 111 & 116 |
| 2. Timing           | 113       |

### M. Postmining Land Use (816/817.133)

#### OSM Action

- |                             |  |
|-----------------------------|--|
| 1) Deferred to State Action | 6) ID-CO Issued (Imminent Danger to Public)  |
| 2) TDN Issued               | 7) Previously cited by RA, abatement pending |
| 3) NOV Issued               | 8) Abated during or before OSM inspection    |
| 4) FTA-CO Issued            | 9) Follow-up of Federal Action               |
| 5) IH-CO Issued             | 0) Off-site impact with no violation         |

#### Off-Site Impacts

For each type of impact and resource affected, enter "N, D, or J" to describe the degree of off-site impact:  
N - Minor Occurrence  
D - Moderate Occurrence  
J - Major Occurrence

## **Denver Field Branch Inspection Narrative**

Permittee: Twentymile Coal, LLC  
Facility: Foidel Creek Mine  
Permit No: C-82-056  
Date of Inspection: October 12, 2023  
Inspection Type: Partial Oversight  
Weather: Cold with occasional snow  
Representative(s): Miranda Kawcak  
DRMS: Hunter Ridley  
OSMRE Official(s): Dan MacKinnon (Badge #554), Haley Hampstead

### **Background**

This was a partial oversight inspection focused on culverts, ponds, and facilities.

### **Inspection**

This Stoker Loadout Building was much improved since OSMRE's last oversight inspection in May of 2023. In May, this site required repair and maintenance which was largely corrected at the time of this inspection. A new system designed to prevent water and sediment from escaping the loadout building and encroaching into Foidel Creek was installed and fully functional at the time of inspection. The system was improved by sealing the building with an inner waterproof liner and a pipe directing flow into a pumphouse where it can be pumped to the approved sediment pond (Figure 1). The sediment control outside the building was also repaired; however, one silt fence requires maintenance (Figure 2). This site should continue to be monitored to ensure it continues to function as designed.

The following ponds were stable and functional at the time of inspection: E, F, F-2B, G (Figure 3), Pit, T, and the ponds associated with the Fish Creek Borehole. A culvert in the Pond E system needs clearing (a rock and dead vegetation, Figure 4); DRMS has the location of this maintenance item. We discussed the potential improvements to the ponds associated with the Fish Creek Borehole (Figure 5). These ponds are rarely used because the water that is pumped into the system is high in iron and the system is not always reliable in its removal. The operator is considering a redesign of the system to more effectively remove any contaminants from the pumped water.

All roads travelled during the inspection were stable and fully functional with no issues noted.

We inspected the refuse pile; no issues were noted. The operator was actively hauling refuse at the time of inspection (Figure 6).



The blasting storage area and the surrounding equipment storage was stable and appropriately safeguarded at the time of inspection (Figure 7).

### **Programmatic compliance**

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



Figure 1 – The recently installed pipe directing water from the Stoker Coal Loadout to the pumphouse. The repair to prevent water and sediment from reaching Foidel Creek was fully functional at the time of inspection.





Figure 2 - The silt fence outside the Stoker Coal Loadout requires repair as the silt fence has slumped and become detached from several supporting posts.





Figure 3 - Pond G, stable and fully functional at the time of inspection.





Figure 4 - A partially blocked culvert that requires clearing in the Pond E area.





Figure 5 - One of the ponds (part of a three-pond system) at the Fish Creek Borehole site. The site was stable at the time of inspection.





Figure 6 - Hauling refuse onto the refuse pile.



Figure 7 - One of three blasting storage bunkers on site. All were stable and fully functional at the time of inspection.