



PERMIT INFORMATION

Permit Number: C-1980-004 Mine Name: McClane Canyon Mine Operator: ARC McClane Canyon, LLC Operator Address: Joe Brinton 652 Peony Dr. Grand Junction, CO 81507	County: Garfield Operation Type: Underground Permit Status: Temporary Cessation Ownership: Private
	Operator Representative Present: Chuck Silengo
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: November 29, 2023 Inspection Start Time: 08:40 Inspection End Date: November 29, 2023 Inspection End Time: 12:10		Inspection Type: Coal Complete Inspection Inspection Reason: OSM Oversight Inspection Weather: Clear	
Joint Inspection Agency: OSM		Joint Inspection Contacts: Thomas Medlin	
Post Inspection Agency: OSM		Post Inspection Contacts: Thomas Medlin	
Inspector(s): Clayton Wein	Inspector's Signature: <i>Clayton Wein</i>		
		Signature Date: 12/14/2023	

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

Y - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

R - Roads

N - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

R - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

R - Topsoil

COMMENTS

This report documents the observations taken by the Division during a complete inspection of the McClane Canyon Mine. This inspection was also an Office of Surface Mining, Reclamation and Enforcement Complete Oversight Inspection. The inspection was conducted on November 29, 2023 by Clayton Wein of the Division. Thomas Medlin represented OSMRE during the inspection. ARC McClane Canyon, LLC (AMC) was represented by Chuck Silengo during the inspection. The weather was clear with a temperature of approximately 40° F. The ground was covered with snow.

Maintenance Items Identified During This Inspection:

1. The Records for the McClane Canyon Mine are inadequate and include documents that were out of date. Please contact the Mesa County Recorder's Office to check if AMC's Records can be checked via a computer with access to the Division's Laserfiche Database. **Please notify the Division by December 20, 2023 which location AMC will be using for records moving forward.**
2. Sump P has filled in with sediment and needs to be cleaned (Photo 1). The soil in the sump has frozen and is too hard to clean at this time. **Please clean the sump as soon as ground conditions allow.**
3. Sump B has filled with sediment and requires cleaning (Photo 2). The soil in the sump has frozen and is too hard to clean at this time. **Please clean the sump as soon as ground conditions allow.**
4. The trash rack over the Sump D's outlet was only partly covering the outlet (Photo 3). Please place the trash rack over the outlet to ensure that no large debris enter the outlet. **Please re-position the trash rack no later than December 20, 2023.**
5. A length of flexible cable was observed adjacent to the portals (Photo 4). Please pick up and store this cable in a laydown area or in the shop. **The cable must be placed in an appropriate location no later than December 20, 2023.**
6. A pile of tires was observed in the lower laydown area across the haul road from the sediment pond (Photo 5). Please remove any pneumatic tires from the laydown area as they were observed to be dry rotted. **Non-coal waste**

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cannot be stored within the laydown areas. Please remove the dry rotted pneumatic tires no later than December 20, 2023.

7. Pond cleanings located at the portals bench, sump I cleanings, Sump J cleanings and ditch D-2 cleanings were all observed to be placed in locations other than on the top of the Coal Waste Pile. Due to the pile reaching capacity. The Division is currently in discussions with the operator's consultant to identify a new location to store material cleaned from the surface water control structures. This revision will be approved in time for the material to be moved and placed in the new approved location in the spring of 2024.

8. The mine identification sign was outdated with the current permittee. The sign displayed McClane Canyon Mining, LLC. The current permittee is ARC McClane Canyon, LLC. **Please replace the mine identification sign with an updated sign as soon as possible.**

9. Discussions with Mr. Silengo indicate that a long reach excavator would be necessary to safely clean the remainder of Sump A. The sump is also located in a box canyon with steep slopes and loose rock. **Sump A will need to be cleaned with the required excavator when safe conditions allow in the spring of 2024.**

10. The Division will discuss with the operator's consultant the need to update the mine surface facilities maps to include the equipment laydown areas. Currently the laydown areas are all located within the approved disturbance and are not impacting undisturbed areas. This update to the permit application can be done during the same future revision to address the new material stockpile for pond and sump cleanings.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The Records for the McClane Canyon Mine are located at the Recorder's Office in Grand Junction, CO. Several of the documents required to be included were either missing or out of date. **The paper records for the McClane Canyon Mine were inadequate.** The Division has deemed that electronic copies of the records are acceptable. The Division recommends that AMC change to electronic records. Discussions with AMC's consultant following the inspection concluded that a computer with internet access to the Divisions Laserfiche Database will be implemented. AMC's consultant is planning to use a computer at the Mesa County Recorder's Office for these purposes. A backup if this location will be unsuitable, is to utilize a computer at the Public Library in Grand Junction. **Please notify the Division by December 20, 2023 which location AMC will be using for records moving forward.** Using a computer with access to Laserfiche will ensure that the records for the McClane Canyon Mine will always be up to date. For more details about this inspection's records check, please see the attached Availability of Records Form attached to 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:

There is on sediment pond located at the McClane Canyon Mine. The pond is east of the Mine Office Pad. The Sediment pond was holding a small amount of frozen water in it during the inspection (Photo 6). The level of water in the pond was below the primary discharge pipe. Most of the sediment pond had been cleaned prior to the inspection. Only a small portion of the western section had not been fully cleaned. The pond had ample capacity remaining. The embankment was covered with snow. There were no indications of erosional

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features or instability. The discharge pipe was clear of debris. The sediment marker was posted and marked the elevation in which the pond requires cleaning. Two inlets to the pond are located in the northeastern corner. A culvert inlet from Culvert Q and the inlet from Ditch D-6. Culvert Q's outlet was clear of debris and functional. The D-6 inlet was also unobstructed. No flow was entering the pond from the inlets at the time of the inspection.

The north and south office pad sumps were holding frozen water in them. The silt fences placed at the sumps' outlets were in good condition. There were no indications of instability or erosion noted. A piece of steel rebar was removed from the embankment of the north office sump during the inspection (Photo 7). The rebar will be stored on the office pad with the other usable materials.

Sump P is located on the north side of the Haul Road in-between the office pad and the sediment pond. During the inspection the sump was dry. The silt fence at the outlet was clear of debris. **The sump has filled in and needs to be cleaned.**

Sump Q was holding some snow during the inspection. The sump was stable with no erosional features identified. The culvert outlet for the sump was observed to be unobstructed.

Sump J was holding a small amount of frozen water and snow in it. The sump was stable with no erosional concerns were identified. The outlet from the sump into the D-6 ditch was covered with snow. No blockages or obstructions in the outlet were identified.

The D-4 ditch is on the north side of the haul road east of Sump Q and extends to the lower portals bench area. The ditch was partly covered with snow and stable. The berm in-between the ditch and Upper McClane Creek was stable and covered with snow.

Sump I was also holding some snow in it. The sump was stable with no erosional features. The culvert outlet for the sump was clear of debris.

Sump B is a diversion for clear water that transports upstream runoff under the portals bench. The outlet from the sump was free of obstructions. No water was in the sump at the time of the inspection. The sump was stable and there were no erosional concerns identified. **Sump B has filled with sediment and requires cleaning. Please clean out the sump to restore its original capacity.**

Sump A is located to the east of Sump B and north of the portals. Sump A diverts clear water from upstream to a diversion underneath the portals pad. Sump A was mostly covered with snow. The trash rack over the outlet was clear of debris. The sump was stable with no erosion. Material remaining to be cleaned out of Sump A will require a long reach excavator. Discussions with Mr. Silengo indicate that a long reach excavator would be necessary to safely clean the remainder of the sump. The sump is also located in a box canyon with steep slopes and loose rock. **Sump A will need to be cleaned with the required excavator when safe conditions allow in the spring of 2024.**

Sump D is located on the eastern end of the portals bench. The sump collects upstream clear water and diverts the water under the portals bench. The sump was dry during the inspection. **The trash rack over the sump's outlet was only partly covering the outlet. Please place the trash rack over the outlet to ensure that no large debris enter the outlet.**

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Sump E was repaired in the summer of 2023. The embankment's concrete structure was in good condition. Much of the sump was covered with snow (Photo 8). The pipe connecting the sump to the main diversion under the portals pad was stable with no sections requiring repairs.

The culvert for the D-5 was also repaired in the summer of 2023. The repaired section of culvert was stable with no indications of breaches (Photo 9).

Ditch D-2 is located behind the shop. The ditch was covered with snow (Photo 10). There were no indications of blockages or erosion.

Pond cleanings located at the portals bench, sump I cleanings, Sump J cleanings and ditch D-2 cleanings were all observed to be placed in locations other than on the top of the Coal Waste Pile. Due to the pile reaching capacity. The Division is currently in discussions with the operator's consultant to identify a new location to store material cleaned from the surface water control structures. This revision will be approved in time for the material to be moved and placed in the new approved location in the spring of 2024.

PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11

Drainage Control; Surface Stabilization; Placement:

The coal waste pile is primarily used to store pond and sump cleanings. The pile has reached capacity and can no longer accept refuse material. The Division is working with the operator's consultant following this inspection to identify a new location on site that could be used to store this material. A revision will be utilized to document and approve a new location to store pond and sump cleanings in accordance with the Rules and Regulations.

ROADS – Rule 4.03

Construction 4.03.1(3)/4.03.2(3), Drainage 4.03.1(4)/4.03.2(4), Surfacing and Maintenance 4.03.1(5) and (6)/4.03.2(5) and (6), Reclamation 4.03.1(7)/4.03.2(7):

The haul road was partly covered with snow on the portion located above the sediment pond leading to the portals pad. The road was stable with no erosional features. The haul road berms were intact and covered with snow. The lower portion of the haul road extending from the sediment pond to the mine entrance was also stable. No indications of erosion were observed. The berms for the haul road were stable and partly covered in snow.

SUPPORT FACILITIES - Rule 4.04:

The mine office pad is located at the west end of the permit area, on the south side of the haul road. The pad was well kept and stable (Photo 11). There were no indications of erosion. No fuel spills were observed and no off site impacts were identified. The perimeter berm was stable and covered with snow. All hydrocarbons were observed to be stored in a secondary containment structure (Photo 12).

The portals pad consists of three main areas. A lower area with equipment laydown locations. A middle area used for a coal stockpile when the site is in operation. The upper area containing the shop, filter shed, electrical substation, portals and a fan house. The portals pad area was mostly covered with snow and was stable. There were no observed erosional features. A length of flexible cable was observed adjacent to the portals. Please pick up and store this cable in a laydown area or in the shop. **The cable must be placed in an appropriate location no later than December 20, 2023.** Several stockpiles of material removed from sumps, ditches and the pond was

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identified in areas throughout the portals pad. The Division is working with the operator's consultant to identify a location at the McClane Canyon Mine to store material cleaned from the surface water control structures. The coal stockpile has reached capacity and can no longer accept this material. A revision will be approved this winter to allow material to be moved and stored in a new location come spring of 2024.

SIGNS AND MARKERS – Rule 4.02:

Posted to the left of the entrance to the mine site was the mine identification sign. The sign was located in an unobstructed location. The sign was legible and contained the sites permit identification number. **The mine identification sign was outdated with the current permittee. The sign displayed McClane Canyon Mining, LLC. The current permittee is ARC McClane Canyon, LLC. Please replace the mine identification sign with an updated sign as soon as possible**

Along the north side of the haul road were several stream buffer zone markers Photo 13). The signs were all placed in easy to locate positions.

The topsoil pile marker was observed on top of the topsoil pile. The sign was in an unobstructed location.

TOPSOIL – Rule 4.06

Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:

The topsoil stockpile and associated perimeter ditch were covered with snow during the inspection (Photo 14). The pile was stable with no erosional concerns. The perimeter ditch was also stable with no breaches observed. The topsoil pile marker was in place on top of the pile.

DOCUMENTS RECEIVED: None

OTHER (SPECIFY): None

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ENFORCEMENT ACTIONS/COMPLIANCE

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

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PHOTOGRAPHS

Photo 1: Maintenance Item No. 2, Sump P needs to be cleaned as soon as ground conditions will allow.



Photo 2: Maintenance Item No. 3, Sump B needs to be cleaned as soon as ground conditions will allow.



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Photo 3: Maintenance Item No. 4, the trash rack on Sump D needs to be pulled all the way over the sumps outlet.



Photo 4: Maintenance Item No. 5, the cable laying on the ground in front of the portals need to be moved to a proper storage area.



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Photo 5: Maintenance Item No. 6, any pneumatic tires located in the laydown area that have dry rotted need to be disposed of.



Photo 6: The sediment pond.



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Photo 7: The location where a piece of rebar identified in the embankment of the north office sump. The rebar was removed during the inspection.



Photo 8: The repaired embankment for Sump E.



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Photo 9: The repaired segment of culvert for the D-5 Ditch.



Photo 10: The D-2 Ditch.



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Photo 11: The northern part of the mine office pad.



Photo 12: The secondary containment structure at the mine office pad.



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Photo 13: The stream buffer zone marker placed near the mine office pad.



Photo 14: The topsoil stockpile.



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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit

RN-09

HYDROLOGIC RECORDS

NPDES Permit

- Needs
2020
NPDES
Permit
CO-
0038242

COR-040098

Permit Application w/Revisions

Ok 3 ring binders

NPDES RecordsNeeds 3rd
Quarter DMRS

Findings Document

RN-09

Stormwater Management Plan

Could not locate
2016 Plan**Insurance Certificate*****Exp. June 2024**

SPCC Plan

2013

Bond Document

***Cover Letter
Only**

MSHA Pond Inspections

NA

Phased Bond Release

NA

NA

Documents/Findings

Exp.

State Engineer's Pond Inspection

Air Emission Permits

NA

Quarterly Pond InspectionsNeeds 3rd Q 2023

County Special Use Permits

NA

Annual Hydrology Reports

2022 AHR

UG Mining Landowner Notification

NA

- Ground Water Monitoring

AHR

Subsidence Monitoring Reports

NA

- Surface Water Monitoring

AHR

Subsidence Monitoring Data

NA

- Spring & Seep Monitoring

AHR

Rill & Gully Survey

NA

- Mine Water Discharge
Monitoring

AHR

Vegetation Monitoring Data

2022 ARR

- Mine Inflow Study

AHR

Specific Variance Approvals

PAP/OK

- Water Consumption Records

AHR

Annual Reclamation Reports

2022 ARR

Well Permits

OK

Midterm Review Documents

MT-08

DRMS/OSM Inspection**Reports/Enforcement Actions (3
Years)**Needs 2nd & 3rd
Quarter 2023
Inspections**BLASTING RECORDS**

Transfers/Succession of Operator

SO-4

Blasting Publication

NA

Temporary Cessation Notification

2011

Blasting Records (3 years)

NA

Reclamation Cost Estimate

**Could not locate
RN-09 RCE**

ATFE Explosives Permit

NA

CERTIFICATIONS

Pond Certifications

OK

Blasting Variances

PAP

Annual Certifications for
Impoundments**Could not locate
2023**

Pre-Blast Surveys

PAP

Fill Certifications for Excess Spoil
or Underground Development Waste

NA

**ADDITIONAL RECORDS
(specify)**

- Quarterly Inspections

NA

- Compaction Testing

NA

- Final Certification

NA

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Coal Processing Waste Banks	NA		
Haul Road Certifications	NA		
Access Road Certifications	NA		

COMMENTS: ***The worker's compensation and employers' liability policy expired on July 31, 2023.**

** The Coal Waste Pile serves as a storage area for ponds and sump cleanings. The pile did not have any quarterly monitoring reports on file. The Division will work with the operator to ensure that the pile is monitored in accordance with the rules and regulations.

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