



STATE OF
COLORADO

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

C1981022, Elk Creek Mine, December Inspection Report

1 message

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

Wed, Dec 20, 2023 at 1:11 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_12202023120807.pdf
671K



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: Doug Smith
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: December 13, 2023 Inspection Start Time: 13:00 Inspection End Date: Inspection End Time:	Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Cloudy
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Leigh Simmons	Inspector's Signature:  Signature Date: December 20, 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

Y - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

Y - Roads

N - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

Y - 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 overcast. 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.

GENERAL MINE PLAN COMPLIANCE:

A pipeline owned by Vessels Coal Gas (from the old Sanborn Creek portal to the 3MW methane facility at the upper facilities pad in the Elk Creek drainage) had been removed - this pipeline was not mine-related, but was within the permit area.

SUPPORT FACILITIES - Rule 4.04:

No further progress had been made on the dismantling and removal of the sub-station at the upper facilities pad.

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: 4

Number of Complete Inspections this Fiscal Year: 2

PHOTOGRAPHS



Figure 1: Partially dismantled sub-station

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

AVAILABILITY OF RECORDS**PERMIT RECORDS**

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

Air Emission Permits	Cancelled
County Special Use Permits	Y, 1997
UG Mining Landowner Notification	Y
Subsidence Monitoring Reports	Y, Oct 2023
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 11/23

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	Q3, 2023
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Haul Road Certifications	Y
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Access Road Certifications	Y
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HYDROLOGIC RECORDS

NPDES Permit	Exp. Sep 30, 2024
NPDES Records	DMR, 11/23
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	Q3, 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:**

*1 RN-8 is in progress

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