



STATE OF
COLORADO

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

C1983059, Terror Creek Loadout, 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 1:44 PM

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_12202023012921.pdf
1265K



COLORADO


Division of Reclamation,
Mining and Safety

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

INSPECTION INFORMATION

Inspection Start Date: December 13, 2023 Inspection Start Time: 14:00 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

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

R - 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), accompanied by Doug Smith of Oxbow Mining, LLC. (Oxbow). The weather was overcast. The gate to the site was locked. No contractors were on site.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were available in the Elk Creek mine office. Details are given at 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:

A fuel tank that had been brought to the site was stored within a metal box, to provide secondary containment in case of a spill.

GENERAL MINE PLAN COMPLIANCE:

Work on the temporary building was largely complete. The frame was completely covered with fabric, and some angled pieces had been added to the flat roofs of the containers to alleviate concerns over snow loading.

OTHER (SPECIFY):

A recent break-in and theft of some copper cable meant that Oxbow and Gunnison Energy were considering additional security measures.

DOCUMENTS RECEIVED

N/A

OTHER (SPECIFY)

N/A

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

ENFORCEMENT ACTIONS/COMPLIANCE

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

PHOTOGRAPHS



Figure 1: Outside of temporary building, from the east



Figure 2: Copper cables cut during theft

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Figure 3: Inside of temporary building

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Figure 4: Fuel tank with secondary containment

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Exp. 8/23/28
Permit Application w/Revisions	Yes
Findings Document	RN-8
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 11/23
Reports/Enforcement Actions (3 Years)
Transfers/Succession of Operator SO-01
Temporary Cessation Notification N/A
Reclamation Cost Estimate RN-8

CERTIFICATIONS

Pond Certifications Yes
Annual Certifications for Impoundments N/A

Fill Certifications for Excess Spoil or Underground Development Waste N/A

- 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

HYDROLOGIC RECORDS

NPDES Permit *1
NPDES Records Q3 2023
Stormwater Management Plan Yes
SPCC Plan Yes
MSHA Pond Inspections N/A
State Engineer's Pond Inspection N/A
Quarterly Pond Inspections Q3 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 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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