

STATE OF
COLORADO

Ridley - DNR, Hunter <hunter.ridley@state.co.us>

Inspection Report, Foidel Creek Mine, C-1982-056

1 message

Ridley - DNR, Hunter <hunter.ridley@state.co.us>

Mon, Jan 8, 2024 at 8:13 AM

To: "Kawcak, Miranda" <mkawcak@peabodyenergy.com>

Hi Miranda,

Please find attached the Division's report for the January aerial inspection of the Foidel Creek Mine. This counts as a partial inspection for the site. Let me know if you have any questions.

Best,
Hunter Ridley (she/her/hers)
Environmental Protection Specialist I



COLORADO
Division of Reclamation,
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3843K



PERMIT INFORMATION

Permit Number: C-1982-056 Mine Name: Foidel Creek Mine Operator: Twentymile Coal, LLC Operator Address: Ms Miranda Kawcak 29515 Routt County Road No. 27 Oak Creek, CO 80467	County: Routt Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: None, as this was an aerial inspection.
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: January 3, 2024 Inspection Start Time: 11:15 Inspection End Date: January 3, 2024 Inspection End Time: 11:25	Inspection Type: Aerial Inspection Inspection Reason: Normal I&E Program Weather: Clear	
Joint Inspection Agency: None	Joint Inspection Contacts: 	
Post Inspection Agency: None	Post Inspection Contacts: 	
Inspector(s): Hunter Ridley Brock Bowles	Inspector's Signature: 	Signature Date: January 8, 2024

Inspection Topic Summary

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

N - Air Resource Protection

N - Availability of Records

N - Backfill & Grading

R - Excess Spoil and Dev. Waste

N - Explosives

Y - Fish & Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - 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

Y - Topsoil

COMMENTS

This was a partial inspection of the Foidel Creek Mine; DRMS Permit No. C-1982-056, operated by Twentymile Coal, LLC. (TC). The inspection was conducted aerially by Brock Bowles. Images were analyzed and the report prepared by Hunter Ridley of the Division. The weather appeared clear on the day of inspection. The site was active at the time. **Please address the Bold items below.**

To ensure that all reclamation tasks are appropriately bonded for, the Division is currently in the process of collecting field data in an effort to ground truth and update on-site conditions at the Foidel Creek Mine. Aerial data and on the ground data will continue to be collected over several inspections during this process. Final data collection and any necessary recalculation of the financial warranty will be completed by July of 2024.

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):

Haul roads throughout the site looked to be plowed, navigable, and well maintained. This included roads located in the less frequently accessed areas of the site such as the 6MN area.

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:

Main Facilities Area

From above, all ponds looked to be stable and free of major issues. Many ponds are either frozen over for the season or not currently discharging (Photos 1, 3-5, 7, 10, and 12). Several ditches were visible under the snowy conditions and looked to be free of major erosional issues or blockages (Photos 2, 3, 5, and 9).

6MN Facilities Area & Passive Water Treatment System

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 2

The 6MN Facilities are mostly unused in the winter. The heat fan used for the underground mine workings has been turned on for the winter and is accessed via the 6MN area. Roads were plowed to this area and ponds looked to be functioning properly (Photos 14 and 15). The Passive Water Treatment Plant has been turned off for the winter months (Photo 14). No major erosional and structural issues have been identified in the aerial images.

TOPSOIL – Rule 4.06

Several topsoil piles not easily inspected during usual on the ground visits were seen from above during this inspection (Photos 2, 3, 5, 7, 9, and 15). All piles looked to be stable and free of erosional issues. Special care should be taken in the winter months to ensure that topsoil piles are protected from snow plowing activities. This continues to be a maintenance item.

USE OF EXPLOSIVES – Rule 4.08:

Three explosives storage bunkers are located on the far southwestern side of the main facilities area (Photo 11). Explosives are kept on site for general blasting and the storage bunkers are inventoried monthly. A storage lot for excess equipment and vehicles is also located in this same area. This area was noted to be free of any issues and roads to this area appear to be effectively plowed.

EXCESS SPOIL AND DEV. WASTE – Rule 4.09 Placement; Drainage Control; Surface Stabilization:

The refuse pile was inspected from above and no standing water was observed in the photographs. One truck was seen to be actively hauling material at the time of inspection (Photo 8). The pile appeared to be stable on all sides which have been most recently active (Photos 8-11, 13). Construction of lift three is currently underway and will continue throughout the winter season as weather allows.

Compaction reports are conducted quarterly. As per the last inspection request (dated December 12, 2023), the Division has received a majority of the missing compaction reports need to complete the public record. The following reports still need to be submitted: 3rd Quarter 2021 and 2nd Quarter 2023. **Please submit all missing compaction reports through e-permitting to the Division and continue to submit these reports on a timely basis.**

GENERAL MINE PLAN COMPLIANCE:

Ongoing Maintenance Items:

- Protect topsoil piles along all roads during maintenance and snow plowing activities throughout the winter months.

ENFORCEMENT ACTIONS/COMPLIANCE

The required abatement for the following enforcement action has been provided to and accepted by the Division as of December 18, 2023. However, the Division is still awaiting payment of the civil penalty from TC. Therefore, the violation has not yet been formally terminated and so is still listed below.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 2

Infraction Number: CV2023002

Inspection Date: October 12, 2023

Date Issued: November 21, 2023

Primary Topic: Permit Stipulations

Secondary Topic:

Tertiary Topic:

Description: Failure to follow the approved Permit Stipulation No. 67 within the required timeframe. Failure to provide a description of the cultural and historic resources affected by planned or probable subsidence over the life of the mine pursuant to Rule 2.04.4. Failure to conduct the stipulated surveys to ensure that accurate maps or plans clearly show all significant known archaeological sites pursuant to C.R.S. 34-33-110(2)(n). Failure to conduct the stipulated surveys which ensure that mining activity will not adversely affect any place included in the national register of historic sites pursuant to C.R.S. 34-33-114(g)(III), Rule 2.07.6(2)(e)(i), and Rule 2.02.4(3)(c).

Abatement #: 1

Abatement Due Date: 12/21/2023

Abatement Due Extended Date:

Abatement Date:

Abatement Description: The Operator must complete a supplemental cultural resource survey for the expansion area of panel 7 Right LW Panel 3 (7 East Panel) to satisfy the concerns/obligations of the Office of Archaeology and Historic Preservation. The survey must be submitted to the Division in the form of a Minor Revision (MR) to be incorporated into the PAP.

Number of Partial Inspection this Fiscal Year: 5Number of Complete Inspections this Fiscal Year: 2

PHOTOGRAPHS



Photo 1: View of the mine entrance road off CR 37, Pond G, and storage area.



Photo 2: Closer view of the million-gallon tank, electrical shop, and storage area to the south of Pond G.

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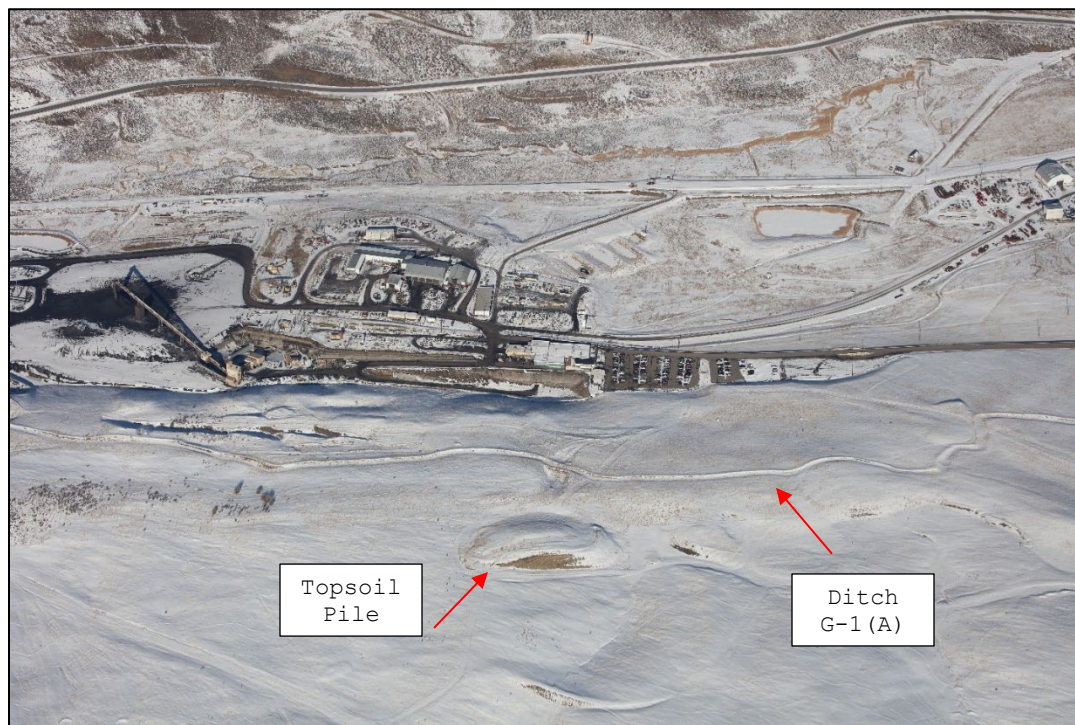


Photo 3: View of the main facilities area which includes a view of a topsoil stockpile to the south and Ditch G-1(A).



Photo 4: View of Pond F and the wastewater treatment ponds.

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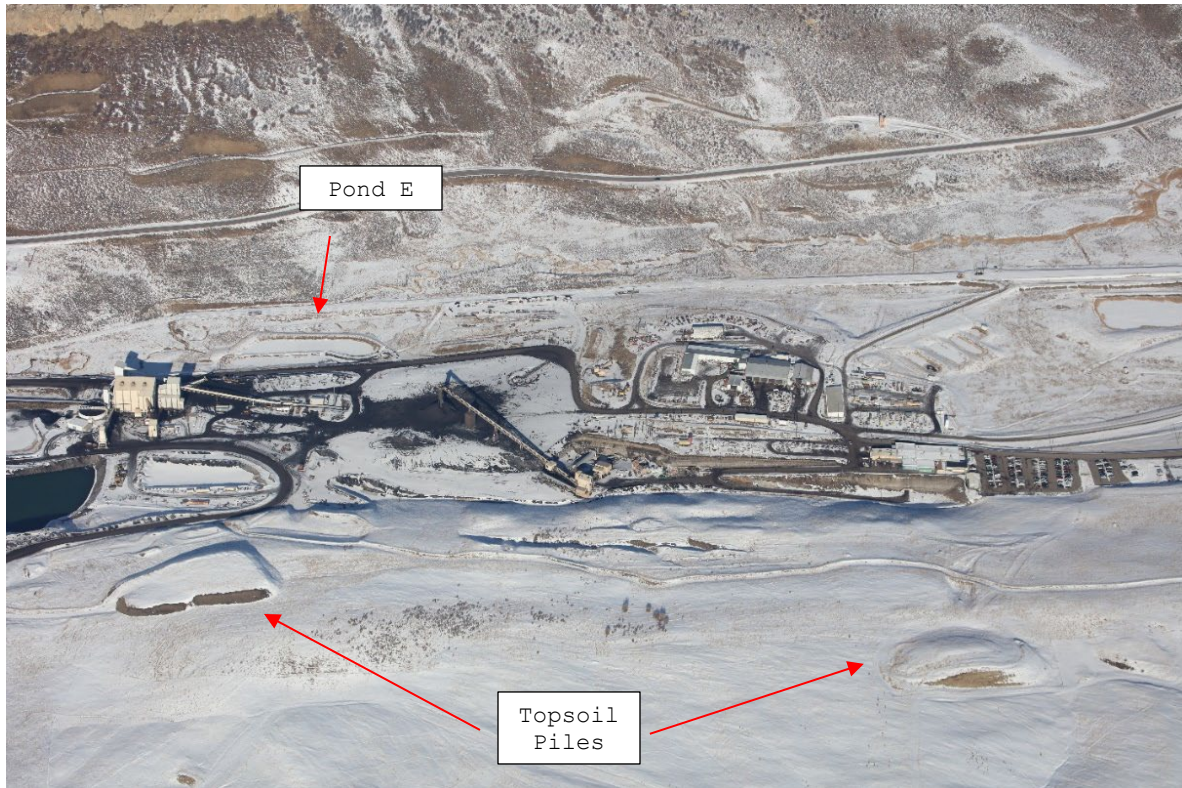


Photo 5: Overview of the main facilities area including the main ROM stockpile area and stoker coal loadout building, 2 topsoil stockpiles and Pond E are also visible.



Photo 6: Main ROM conveyor, stockpile, and transfer building. The mine entrance portal is also visible.

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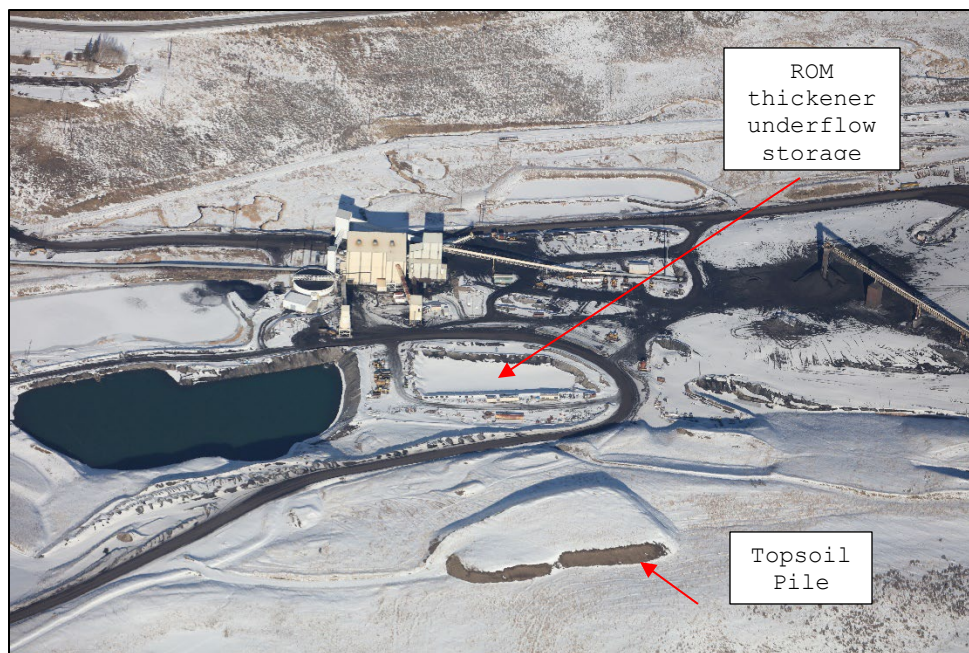


Photo 7: View of Pond D, the Pit Pond, Pond E, the ROM thickener underflow storage basin, ash plant, and stoker loadout facility. One topsoil pile is also visible.



Photo 8: View of the first three lifts of the refuse pile.

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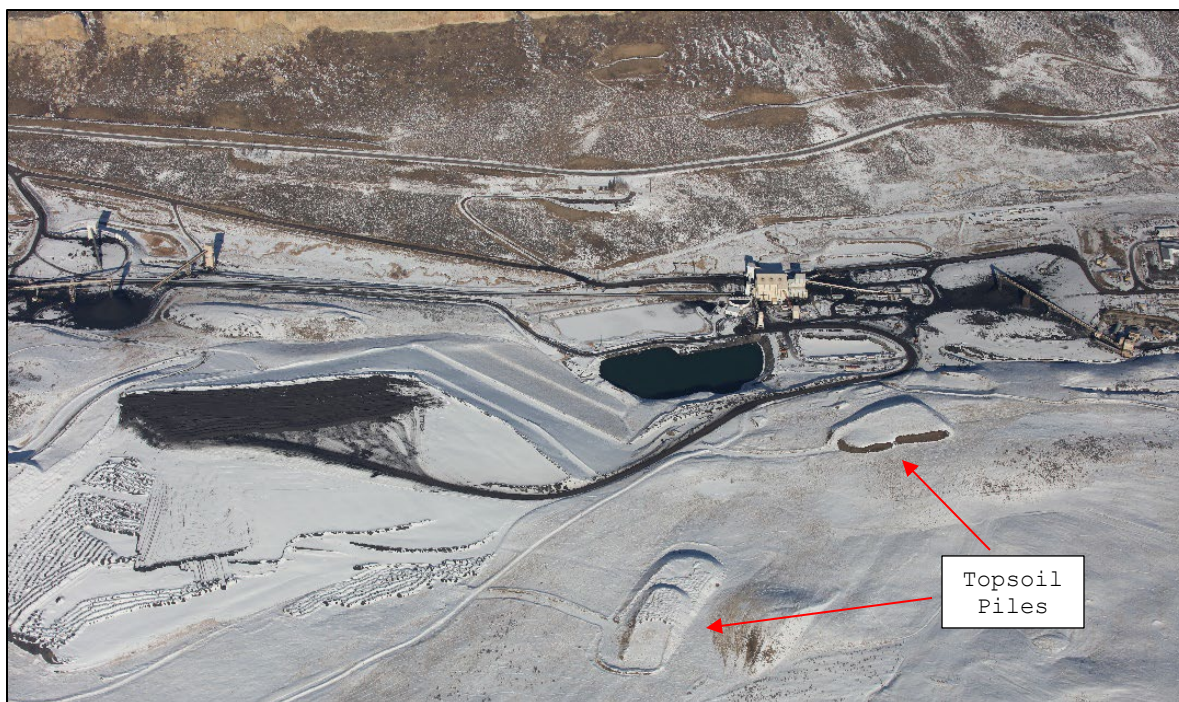


Photo 9: Overview of the refuse pile area including two topsoil stockpiles.

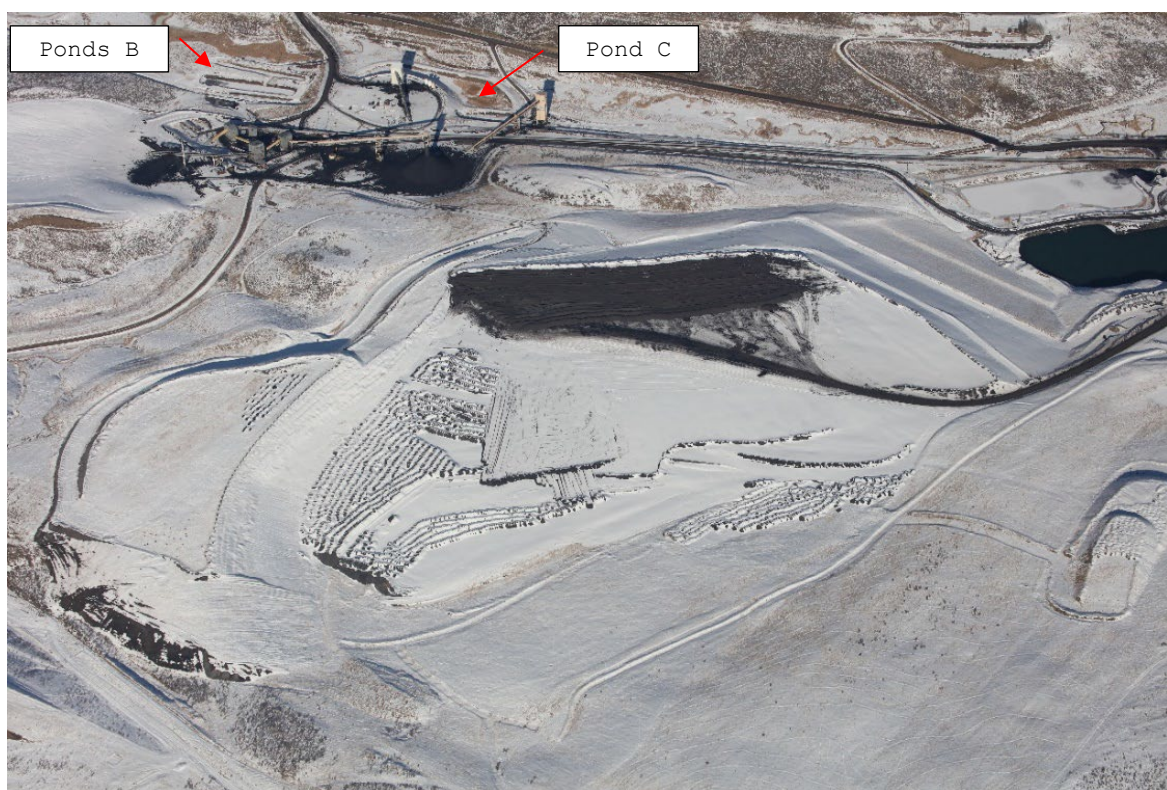


Photo 10: Coal refuse pile area and the ROM stockpile area. Pond C and Ponds B are visible.

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Photo 11: Western most extent of the main facilities area which shows the explosives storage area.



Photo 12: A topsoil and overburden stockpile site located south of the refuse pile and MSHA Pond A.

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Photo 13: View of the western side of the refuse pile.



Photo 14: Overview of the 6MN area and the Passive Water Treatment System.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 2



Photo 15: Closer view of the 6MN area, the 6MN reservoir, sediment pond, and several topsoil stockpiles are visible.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 2