



STATE OF  
COLORADO

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

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## Inspection Report, Hayden Gulch Loadout, C-1992-081

1 message

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

Mon, Feb 12, 2024 at 11:30 AM

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

Miranda,

Please find attached the Division's report for the February complete inspection conducted at the Hayden Gulch Loadout, C-1992-081. Please let me know if you have any questions.

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



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

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**Feb\_HG\_CC.pdf**

1254K



### PERMIT INFORMATION

<b>Permit Number:</b> C-1992-081 <b>Mine Name:</b> Hayden Gulch Loadout <b>Operator:</b> Hayden Gulch Terminal, LLC <b>Operator Address:</b> Ms Miranda Kawcak 29515 Routt County Road 27 Oak Creek, CO 80467	<b>County:</b> Routt <b>Operation Type:</b> Loadout <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>
<b>Operator Representative Signature: (Field Issuance Only)</b>	

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> February 7, 2024 <b>Inspection Start Time:</b> 08:00 <b>Inspection End Date:</b> February 7, 2024 <b>Inspection End Time:</b> 08:45		<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Cloudy	
<b>Joint Inspection Agency:</b>  None		<b>Joint Inspection Contacts:</b>	
<b>Post Inspection Agency:</b>  None		<b>Post Inspection Contacts:</b>	
<b>Inspector(s):</b>  Hunter Ridley	<b>Inspector's Signature:</b>  <i>Hunter Ridley</i>		<b>Signature Date:</b>  February 12, 2024

**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 &amp; Grading

N - Excess Spoil and Dev. Waste

N - Explosives

Y - Fish &amp; Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - Roads

R - Reclamation Success

Y - Revegetation

N - Subsidence

N - Slides and Other Damage

N - Support Facilities On-site

R - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

R - Topsoil

**COMMENTS**

This was a complete inspection of the Hayden Gulch Loadout; DRMS Permit No. C-1992-081, operated by Hayden Gulch Terminal, LLC (HGT). This inspection was conducted by Hunter Ridley with the Colorado Division of Reclamation, Mining, and Safety (Division). Mine representative Miranda Kawcak was not present for the inspection but was present for the records check at Foidel Creek Mine. No mining activity was occurring on site at the time of inspection. **Please address the Bold items below.**

The Division has issued a proposed decision to approve SL-3, a Phase I, II, and III release request. If no objections are received, the Division will issue its final decision after the close of the public comment period on February 19, 2024.

Areas not yet Phase III bond released and not included in the current SL-3 release include the area directly north and south of Hwy 40, to be reclaimed to agricultural use as hay fields. It is the only part of the previous rail loop not donated to Routt County. This area includes 6.8 acres of which 2.3 are disturbed (Photo 3).

AVAILABILITY OF RECORDS – Rule 5.02.4(1): Records were checked at the mine office. See details at the end of the report. Records can be made available to the public through paper or electronic copy. Currently, records located at the mine office are in both forms. However, in the event that the computer which holds the files is not accessible, e.g. the operator is not present to login and access records, Rule 5.02.4 would not be able to be followed. **Therefore, the Division requests that all records be made available in paper form.** Aside from inspection reports which must be kept for three years, all other reports such as DMRs, ARRs, AHR, pond inspections, etc. only need to be updated to the most current year. **Please also update the highlighted items.**

**SIGNS AND MARKERS—Rule 4.02**

Mine identification signs were observed adjacent to the unreleased agricultural section north and south of Hwy 40 (Photo 1) and at the western end of the TAHR (Photo 2). All required information was present on the signage.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 3

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):

Snow received the night prior to the inspection had not yet been plowed from the Tie Across Haul Road (TAHR) but this road had been recently plowed of the heavier snowfall event which occurred a week prior to the inspection (Photo 8). The TAHR and its associated permanent topsoil pile features will be Phase III released with the approval of SL-3.

#### 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:

Work by the City of Hayden to replace culverts located within the previously released Tracks to Trails area (Photo 4) seems to have halted for the winter season. Two dozers and two excavators are currently being stored along the trail (Photo 5). Culverts located in this area which were not being replaced were stable and free of blockages (Photo 6).

Truck Loop Pond 001 was frozen over but appeared to be stable and free of issues (Photo 7). Rail Loop Pond 002 was inaccessible due to the culvert construction happening along the Sage Creek Trail. This construction has closed off the trail entrance to the public.

#### TOPSOIL – Rule 4.06

Several permanent topsoil pile features are located to the east along the currently unreleased TAHR. All piles appeared to still be vegetated underneath the snow and were marked by appropriate signage (Photo 9). These piles will be released with the approval of SL-3.

#### RECLAMATION SUCCESS - Rule 4.15, Rule 3:

The remaining permit area near Hwy 40 appeared vegetated under the snow (Photo 3). This area of disturbance will be fully incorporated into adjacent hay fields at the conclusion of the 10-year liability period.

### **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: Mine sign located at the corner of CR37 and Hwy 40.*



*Photo 2: Mine sign located at the intersection of the TAHR and CR 53.*

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*Photo 3: View east of the unreleased hayfields adjacent to Hwy 40 and CR 37.*



*Photo 4: View east of the snowed in parking lot for the Sage Creek Trail which was created after handover to the City of Hayden for recreational use.*

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*Photo 5: The City of Hayden's work on replacing culverts has been halted for the winter season, view southwest.*



*Photo 6: Other culverts located in the released recreation area were stable and undamaged.*

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*Photo 7: View north of Truck Loop Pond 001.*



*Photo 8: View north of the TAHR adjacent to CR 53, roads had been recently plowed.*

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 3





*Photo 9: Topsoil piles along the eastern half of the TAHR were stable, marked, and appeared to still be vegetated.*

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 3

**AVAILABILITY OF RECORDS****PERMIT RECORDS**

\*\*\*Exp 5/23/2028

**HYDROLOGIC RECORDS**

DRMS Permit

NPDES Permit

COG85008 in  
Review

Permit Application w/Revisions

\*\*\*TR12

NPDES Records

\*\*\*Permit

Findings Document

\*\*\*RN-6

Stormwater Management Plan

2012 Current

Insurance Certificate

8/1/2022

SPCC Plan

NA

Bond Document

No. 104674392  
Feb 2022

MSHA Pond Inspections

NA

Phased Bond Release

SL-02

Documents/Findings

State Engineer's Pond Inspection

NA

Air Emission Permits

Terminated

Quarterly Pond Inspections

NA

County Special Use Permits

Terminated

Annual Hydrology Reports

\*\*\*2022

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 &amp; Gully Survey

- Mine Water Discharge  
Monitoring

NA

Vegetation Monitoring Data

NA

- Mine Inflow Study

NA

Specific Variance Approvals

NA

- Water Consumption Records

NA

Annual Reclamation Reports

2022

Well Permits

NA

Midterm Review Documents

MT-06

DRMS/OSM Inspection

Feb 2022

Reports/Enforcement Actions (3  
Years)**BLASTING RECORDS**

Transfers/Succession of Operator

NA

Blasting Publication

NA

Temporary Cessation Notification

NA

Blasting Records (3 years)

NA

Reclamation Cost Estimate

RN-6

ATFE Explosives Permit

NA

**CERTIFICATIONS**

Blasting Variances

NA

Pond Certifications

NA

Pre-Blast Surveys

NA

Annual Certifications for

Impoundments

NA, released

Fill Certifications for Excess Spoil  
or Underground Development Waste

NA

**ADDITIONAL RECORDS  
(specify)**

- Quarterly Inspections

NA

- Compaction Testing

NA

- Final Certification

NA

Coal Processing Waste Banks

NA

Haul Road Certifications

\*\*\*Permit

Access Road Certifications

\*\*\*Permit

**COMMENTS:**

\*\*\*A majority of larger records documents are kept digitally in a publicly available computer at the site office.

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