



STATE OF
COLORADO

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

C1983059, Terror Creek Loadout, 2023 Annual Reclamation Report, Review

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

Wed, Feb 28, 2024 at 4:34 PM

To: Doug Smith <Doug.Smith@oxbow.com>

Doug,

The Division's review of the 2023 ARR for Terror Creek Loadout is attached.

Leigh Simmons
Environmental Protection Specialist



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

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2023 ARR review.pdf
266K



Doug Smith
Oxbow Mining, LLC.
PO Box 535
Somerset, CO 81434

February 28, 2024

**Re: Terror Creek Loadout (C-1983-059)
Annual Reclamation Report, 2021**

Dear Mr. Smith,

The Division has reviewed the 2023 Annual Reclamation Report (ARR) for the Terror Creek Loadout.

With respect to Rule 2.04.13:

1. The report was received by the Division on February 16, 2024
 - a. Name: Terror Creek Loadout
Address: PO Box 535, Somerset, CO 81434
Permit #: C1983059
 - b. 0 acres were disturbed during 2023
 - c. 0 acres were backfilled and graded during 2023
 - d. 0 acres were topsoiled during 2023
 - e. 0 acres were seeded during 2023
 - f. No maps were enclosed with the 2023 report
2. Whitetop (*Cardaria draba*) and Canada thistle (*Cirsium arvense*) were spot-treated on the site using *Curtail* and *Escort* herbicides, both of which are specified by name on Page 2.05-14R of the Permit Application Packet.

Curtail is produced by Dow AgroSciences. It is a mixture of Clopyralid and 2,4-D, and is described as being for “selective control of broadleaf weeds in ... rangeland...”

Escort is produced by DuPont. It is a granular preparation of Metsulfuron methyl, and is recommended “for the control of broadleaf weeds, brush and several woody vine species in forage grasses growing in pasture and rangeland.”



Neither *Curtail* nor *Escort* have restrictions on their use in Delta County
(<https://www.deltacounty.com/DocumentCenter/View/8263/Herbicide-Reference-Guide-for-Landowners?bidId=>).

The Division notes that remaining concrete pedestals, coal fines and rail ballast located to the south of the lower pad, along the Union Pacific Railroad right-of-way were removed and buried in 2023. Supplemental seeding of around 1.7 acres took place, using the approved seed mix. Additional sediment control was placed.

The Division concurs that progress has been made towards achieving the approved post-mining land use as a multi-use storage facility.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Simmons", is positioned above the typed name.

Leigh Simmons
Environmental Protection Specialist