



STATE OF  
COLORADO

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

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## C1983059, Terror Creek Loadout, March Inspection Report

1 message

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

Tue, Mar 19, 2024 at 3:27 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\_03192024122623.pdf**  
1931K



**PERMIT INFORMATION**

<b>Permit Number:</b> C-1983-059 <b>Mine Name:</b> Terror Creek Loadout <b>Operator:</b> Oxbow Mining, LLC <b>Operator Address:</b> Mr Doug Smith PO Box 535 Paonia, CO 81434	<b>County:</b> Delta <b>Operation Type:</b> Loadout <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Doug Smith
<b>Operator Representative Signature: (Field Issuance Only)</b>  	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> March 13, 2024 <b>Inspection Start Time:</b> 11:00 <b>Inspection End Date:</b> <b>Inspection End Time:</b>	<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Snowing
<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>  Leigh Simmons	<b>Inspector's Signature:</b>  <b>Signature Date:</b>  March 19, 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 & Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

N - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

N - Roads

N - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

R - 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 and wet, with a major winter storm forecast. The gate to the site was locked. There was no activity at the 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.

**GENERAL MINE PLAN COMPLIANCE:**

Oxbow reported that were working on contracts with various customers to fulfill the multi-use post-mining land use.

**SUPPORT FACILITIES - Rule 4.04:**

A security fence with a locked gate had been installed around the lower pad, with security cameras on a pole just inside the gate.

**SIGNS AND MARKERS – Rule 4.02:**

New signs had been installed warning of 24-hour video surveillance on both gates. The mine ID sign was in place at the main entrance.

**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: 6

Number of Complete Inspections this Fiscal Year: 3

## PHOTOGRAPHS



Figure 1: Mine ID sign



Figure 2: Entrance to site

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*Figure 3: Security fence and gate around lower pad*



*Figure 4: Gate, warning sign and security cameras*

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*Figure 5: Western end of lower pad*



*Figure 6: Remaining part of substation*

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

<b>DRMS Permit</b>	Exp. 8/23/28
<b>Permit Application w/Revisions</b>	Yes
<b>Findings Document</b>	RN-8
<b>Insurance Certificate</b>	6/1/2024
<b>Bond Document</b>	\$290,000
<b>Phased Bond Release</b>	N/A
<b>Documents/Findings</b>	
<b>Air Emission Permits</b>	Terminated 2018
<b>County Special Use Permits</b>	Yes
<b>UG Mining Landowner Notification</b>	N/A
<b>Subsidence Monitoring Reports</b>	N/A
<b>Subsidence Monitoring Data</b>	N/A
<b>Rill &amp; Gully Survey</b>	N/A
<b>Vegetation Monitoring Data</b>	N/A
<b>Specific Variance Approvals</b>	N/A

<b>Annual Reclamation Reports</b>	2023
<b>Midterm Review Documents</b>	MT-8
<b>DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)</b>	2/24
<b>Transfers/Succession of Operator</b>	SO-01
<b>Temporary Cessation Notification</b>	N/A
<b>Reclamation Cost Estimate</b>	RN-8
<b>CERTIFICATIONS</b>	
<b>Pond Certifications</b>	Yes
<b>Annual Certifications for Impoundments</b>	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**

<b>NPDES Permit</b>	*1
<b>NPDES Records</b>	Q4 2023
<b>Stormwater Management Plan</b>	Yes
<b>SPCC Plan</b>	Yes
<b>MSHA Pond Inspections</b>	N/A
<b>State Engineer's Pond Inspection</b>	N/A
<b>Quarterly Pond Inspections</b>	Q4 2023
<b>Annual Hydrology Reports</b>	2023
• <b>Ground Water Monitoring</b>	AHR
• <b>Surface Water Monitoring</b>	AHR
• <b>Spring &amp; Seep Monitoring</b>	N/A
• <b>Mine Water Discharge Monitoring</b>	N/A
• <b>Mine Inflow Study</b>	N/A
• <b>Water Consumption Records</b>	N/A
<b>Well Permits</b>	Yes

**BLASTING RECORDS**

<b>Blasting Publication</b>	N/A
<b>Blasting Records (3 years)</b>	N/A
<b>ATFE Explosives Permit</b>	N/A
<b>Blasting Variances</b>	N/A
<b>Pre-Blast Surveys</b>	N/A

**ADDITIONAL RECORDS (specify)**


**COMMENTS:**

\*1 CDPS permit expired June 30, 2013; administratively extended.

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