



STATE OF
COLORADO

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

C1981022, Elk Creek Mine, March Inspection Report

1 message

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

Tue, Mar 19, 2024 at 4:40 PM

Attached

Leigh Simmons
Environmental Protection Specialist



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

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INSP-REPORTC_C1981022_LDS_03192024041145.pdf
685K



PERMIT INFORMATION

Permit Number: C-1981-022 Mine Name: Elk Creek Mine Operator: Oxbow Mining, LLC Operator Address: Mr Doug Smith 3737 Hwy 133 P. O. Box 535 Somerset, CO 81434	County: Delta, Gunnison Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: Doug Smith
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: March 13, 2024 Inspection Start Time: 11:00 Inspection End Date: Inspection End Time:	Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Snowing
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Leigh Simmons	Inspector's Signature:  Signature Date: 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

N - 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

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). The weather was wet and snowy, ahead of a major winter storm. The status of the Elk Creek Mine is “active” however no coal is being mined and the only activity since the last inspection was site maintenance.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were available in the mine office; details are given at the end of this report.

SUPPORT FACILITIES - Rule 4.04:

Oxbow staff had taken over responsibility for running the methane project. The Elk Creek facilities were not running at the time of the inspection. Two of the four flares at the Bear Creek were operating and could be monitored remotely from the Elk Creek Mine office. Moving one of the Bear Creek flares to Hubbard Creek was still in the plans, but it will need to wait until later in the year.

The two unused flare units had been removed from the Upper Elk Creek facilities pad.

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: Lower section of reclaimed Elk Creek channel

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Oct 11, 2023*1
Permit Application w/Revisions	Y
Findings Document	MT-8
Insurance Certificate	Jun 1, 2024
Bond Document	\$2M
Phased Bond Release Documents/Findings	SL-1 through 8

Air Emission Permits	Cancelled
County Special Use Permits	Y, 1997
UG Mining Landowner Notification	Y
Subsidence Monitoring Reports	Y, Oct 2023
Subsidence Monitoring Data	Y
Rill & Gully Survey	Y (ARR)

Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	2023

Midterm Review Documents	MT-8
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Through 2/24

Transfers/Succession of Operator	Y
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	SI-1/SR-2*2

CERTIFICATIONS

Pond Certifications	Y
Annual Certifications for Impoundments	n/a

Fill Certifications for Excess Spoil or Underground Development Waste	
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• Quarterly Inspections	Q4, 2023
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Haul Road Certifications	Y
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Access Road Certifications	Y
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HYDROLOGIC RECORDS

NPDES Permit	Exp. Sep 30, 2024
NPDES Records	DMR, 2/24
Stormwater Management Plan	Oct 15, 2019
SPCC Plan	Oct 15, 2019
MSHA Pond Inspections	n/a
State Engineer's Pond Inspection	n/a

Quarterly Pond Inspections	Q4, 2023
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Annual Hydrology Reports	2023
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• Ground Water Monitoring	Y
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• Surface Water Monitoring	Y
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• Spring & Seep Monitoring	Y
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• Mine Water Discharge	Y
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Monitoring	
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• Mine Inflow Study	Y
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• Water Consumption Records	n/a
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Well Permits	195278-195286, 197377, 197378
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BLASTING RECORDS

Blasting Publication	n/a
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Blasting Records (3 years)	n/a
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ATFE Explosives Permit	Exp. Jun 1, 2015
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Blasting Variances	n/a
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Pre-Blast Surveys	n/a
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**ADDITIONAL RECORDS
(specify)****COMMENTS:**

*1 The decision to approve RN-8 was proposed on 3/12/2024

*2 The sitewide RCE was updated with RN-8

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