

STATE OF  
COLORADO

Ridley - DNR, Hunter &lt;hunter.ridley@state.co.us&gt;

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

1 message

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

Mon, Apr 1, 2024 at 8:48 AM

To: "Kawcak, Miranda" &lt;mkawcak@peabodyenergy.com&gt;

Miranda,

Please find attached the Division's report for the complete inspection of the Foidel Creek Mine on March 26, 2024. 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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3913K



### PERMIT INFORMATION

<b>Permit Number:</b> C-1982-056 <b>Mine Name:</b> Foidel Creek Mine <b>Operator:</b> Twentymile Coal, LLC <b>Operator Address:</b> Ms Miranda Kawcak 29515 Routt County Road No. 27 Oak Creek, CO 80467	<b>County:</b> Routt <b>Operation Type:</b> Underground <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Miranda Kawcak & Kevin Copeland
<b>Operator Representative Signature: (Field Issuance Only)</b>  	

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> March 26, 2024 <b>Inspection Start Time:</b> 10:00 <b>Inspection End Date:</b> March 26, 2024 <b>Inspection End Time:</b> 12:30		<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Cloudy / 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>  Hunter Ridley	<b>Inspector's Signature:</b>  <i>Hunter Ridley</i>		<b>Signature Date:</b>  April 1, 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

R - Excess Spoil and Dev. Waste

Y - Explosives

Y - Fish &amp; 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

Y - 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 Foidel Creek Mine; DRMS Permit No. C-1982-056, operated by Twentymile Coal, LLC. (TC). This inspection was conducted by Hunter Ridley with the Colorado Division of Reclamation, Mining, and Safety (Division). Miranda Kawcak of TC accompanied the records check at the Foidel Creek Mine office and Kevin Copeland attended the inspection. **Please address the Bold items below.**

In an effort 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. Data collection will continue to be collected over a number of inspections. Final data collection and recalculation of the financial warranty will be completed by July of 2024.

AVAILABILITY OF RECORDS – Rule 5.02.4(1): Records were checked at the mine office. See details at the end of 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.** Exceptionally large reports and records, delineated by three asterisks on the records form, have been allowed to be kept digitally. **Please update items highlighted on the attached records form.**

**SIGNS AND MARKERS—Rule 4.02**

Mine identification markers were observed throughout the site (Photo 1). All information for compliance was present across all signs.

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 were plowed, but only navigable with a 4WD vehicle. Recent heavy snowfall and subsequent snowmelt has caused the entirety of the site to be muddy and difficult to navigate. Roads will be in need of regarding efforts when conditions allow to remedy large ruts caused by truck travel (Photo 16).

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Number of Complete Inspections this Fiscal Year: 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:

Ponds were checked for discharge and culverts were inspected for function where conditions allowed. Notable observations include a partially blocked culvert at Pond E (Photo 8) and a blow down of cattails at the Pond D discharge culvert, which was very full at the time of inspection (Photo 9). TC should continue to clean out culverts when vegetation and sediment hinders function. A sample of ponds and discharge points are represented in Photos 3, 4, 5, 7, 9, 11, 12, 14, 15, 17, 21, 22. No erosional or structural issues were noted at any of the ponds.

Location	Holding water	discharging	source	goes to	notes
6MN Reservoir	Y	N	mine water	Recirculates mine water. Does not have a discharge pt.	
6MN ventilation shaft sed pond	Y	N	pad runoff		Usually not flowing
6MN wetlands	Y	N	Underground dewatering	6MN reservoir	Water from ponds is pumped to the 6MN reservoir, no discharge is currently approved at this site. Wetlands do not operate in Winter months
Fish Creek Tipple pond	Y	Y	Reclaimed tipple	Fish creek	Usually always flowing
Fish Creek Borehole	Y	N	mine water (w/ flock added)	Fish creek (site 115)	3 cell pond, discharge at site 115 triggers additional sampling requirements.
18LT vent shaft ponds	N	N	pad		Pad is not active
Pond F	N	N	runoff from facilities	Foidel creek	
Pond G	N	N	Surface Runoff from laydown Area	Foidel creek	Generally dry except in the Spring

Pond E	Y	Y	Facilities and roads	Foidel creek	Stoker building will drain here after it has been sealed
Area No. 1 Pond (Pit Pond)	Y	Y	mine, sumps, diversion ditch	Pond D	

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Pond D	Y	Y	Wash plant facilities, pit pond	Foidel creek	Catches overflow from adjacent Pit Pond, is a discharge point for mine water
Pond B	Y	Y	Bob pile, road	Foidel creek	Cleaned Fall 2023
Pond C	Y	N	facilities		Generally dry
Pond T	N	N	laydown area	Foidel creek	v-notch weir, culvert under railway always trickling
Facility Treatment ponds	Y	Y	facilities water	GW discharge	Currently approved to go to the million gallon tank. <b>Revision is needed to update PAP.</b>
Stream buffer zone @ train load-out	NA	NA	Buffer marked by barrels and sign.		Buffer zone was being maintained at Feb 2023 inspection. Buffer zone needs to continue to be protected from winter plowing, mag chloride, and coal overflow from train.

### Main Facilities Area

Storage areas and excess equipment have remained organized through the winter season (Photo 2). A water leak was recently fixed behind the warehouse building. Final backfill and grading of this area is still needed, and will be completed once weather conditions allow (Photo 6). The Stoker Coal Loadout building which was sealed in late 2023 to correct a water leakage issue is still sealed well and functioning properly. BMPs installed as part of this corrective action will likely be in need of maintenance as the spring season approaches and runoff increases around this area. Please ensure these BMPs remain functional throughout the winter season and especially into the spring. No coal spills were observed in front of the loadout building.

The Division was informed during the last site inspection that a large, old conveyor tube located on the eastern side of the wash plant facility had been damaged. At the time, no new coal was being washed and processed. However, TC has salvaged surplus conveyor equipment from the nearby Peabody Sage Creek Mine to build a temporary replacement conveyor while a new conveyor tube is being fabricated. Coal is now being processed as usual (Photo 13 and 20). The Operator stated that a fully replaced conveyor would likely not be on site until fall of 2024.

The Operator stated that inventory of the site's explosives bunkers have continued monthly as required (Photo 18).

### 6MN and Passive Treatment System Project Areas

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The Passive Water Treatment Plant has been turned off for the winter months. All facilities in the 6MN area are functioning as usual (Photos 21 and 22). Fuel in this area is still begin stored in secondary containment. The blower fans in this area which bring heat down to the mine workings remain turned on for the winter season.

### **Tipple Area & Fish Creek Borehole**

The Tipple Area and Fish Creek borehole is generally unused. In the winter months, the access roads are not generally plowed. This, coupled with muddy site conditions did not allow inspection of the Fish Creek Borehole area during this month's inspection. The Tipple Pond continues to be sampled weekly.

### **TOPSOIL – Rule 4.06**

Topsoil piles contained appropriate markers. 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.

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

Due to wet and muddy conditions, the top of the refuse pile was not accessible during this inspection. However, trucks were noted to be hauling at the time of inspection (Photos 10 and 19).

Compaction reports are conducted quarterly. As per the last inspection request (dated November 14, 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: 3<sup>rd</sup> Quarter 2021 and 2<sup>nd</sup> 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 throughout the site during maintenance and snow plowing activities in the winter months
- Ensure BMPs near the Stoker Coal Loadout area are maintained and replaced as needed throughout the winter and forthcoming spring season.

### **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: Signs across the site, including here at the entrance road, were found to be in compliance.*



*Photo 2: View west of the million gallon tank, PM Bay, and material storage area. Pond G is located to the north.*

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*Photo 3: View north of one of three facility ponds, currently discharging.*



*Photo 4: The culvert nearest the southernmost facility pond.*

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*Photo 5: View north of Pond F, not discharging.*



*Photo 6: A water line was recently replaced behind the warehouse, the leak has been fixed, but the new line still needs to be buried.*

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*Photo 7: View southwest of Pond E, currently discharging.*



*Photo 8: View of the northernmost culvert of Pond E.*

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*Photo 9: Discharge culvert for Pond D, cattails were recently blown down by winds.*



*Photo 10: View southeast of the refuse pile, partially covered by snow and fog.*

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*Photo 11: View northeast of Pond C, holding water.*



*Photo 12: View southwest of Ponds B, currently discharging.*

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*Photo 13: View east of the coal stockpile loadout.*



*Photo 14: View northeast of the Pit Pond.*

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*Photo 15: View northwest of Pond D.*



*Photo 16: View north of the main facilities area from the Refuse Haul Road, Pond D and the Pit Pond are adjacent to this road.*

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*Photo 17: View west of pond T, not currently discharging.*



*Photo 18: View north of the explosives bunkers and excess equipment storage.*

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*Photo 19: View east of the refuse pile from atop the road adjacent to the ROM storage area.*



*Photo 20: View north of the ROM coal storage area and other main facilities.*

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*Photo 21: View N of the 6MN sediment pond.*



*Photo 22: View SE of the 6MN Reservoir.*

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## AVAILABILITY OF RECORDS

### PERMIT RECORDS

DRMS Permit	Exp 5/23/2028
Permit Application w/Revisions	Update with MR323
Findings Document	RN8
Insurance Certificate	Exp 08/01/2024
Bond Document	***\$13,260,344
Phased Bond Release Documents/Findings	***SL1
Air Emission Permits	*93RO1204
County Special Use Permits	Exp 8/26/2024
UG Mining Landowner Notification	05/10/2016 (Rule 4.20.2)
Subsidence Monitoring Reports	3Q2023 next due Annual on 3/1
Subsidence Monitoring Data	3Q2023 next due Annual on 3/1
Rill & Gully Survey	NA
Vegetation Monitoring Data	NA
Specific Variance Approvals	NA
Annual Reclamation Reports	***2022
Midterm Review Documents	***MT8
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Through March 2022 NOV CV-2023-002
Transfers/Succession of Operator	NA
Temporary Cessation Notification	NA
Reclamation Cost Estimate	***MR322
<b>CERTIFICATIONS</b>	
Pond Certifications	***3Q 2022
Annual Certifications for Large Impoundments	2022
Fill Certifications for Excess Spoil or Underground Development Waste	3Q2023
• Quarterly Inspections	3Q2023
• Compaction Testing	3Q2023
• Final Certification	NA
Coal Processing Waste Banks	3Q2023
Haul Road Certifications	***OK

### HYDROLOGIC RECORDS

NPDES Permit	**In review, OK
NPDES Records	*** August 2022
Stormwater Management Plan	2013 (will be updated w/new discharge permit) 2021
SPCC Plan	3Q 2021
MSHA Pond Inspections	NA
State Engineer's Pond Inspection	***2Q2023
Quarterly Pond Inspections	***2022
Annual Hydrology Reports	AHR
• Ground Water Monitoring	AHR
• Surface Water Monitoring	AHR
• Spring & Seep Monitoring	AHR
• Mine Water Discharge Monitoring	AHR
• Mine Inflow Study	AHR
• Water Consumption Records	AHR
Well Permits	OK, wells not permanent

### BLASTING RECORDS

Blasting Publication	NA
Blasting Records (3 years)	NA
ATFE Explosives Permit	Exp 9/1/2023
Blasting Variances	NA
Pre-Blast Surveys	NA

### ADDITIONAL RECORDS (specify)

Colo. 811-02 CO Radioactive Materials license	Exp. 10/31/23
Stormwater Annual CLR permit	***Feb 2021 (2022 due 2/15/2023)
County special use permit	Exp. 8/2024
PP2014-035	

Access Road Certifications

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NA

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## COMMENTS:

\* – Air Emissions Permit is issued dated January 31<sup>st</sup> 2019 and expires in 5 years from date (2024) APEN received by the CDPHE.

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\*\* - Discharge Permits – COG850051 exp 6/30/2013, COG850054 exp 6/30/2013, COG0042161 exp 6/30/2012, CO0027154 exp 8/31/2012, CO0036684 exp 4/30/2012 New permits (2022 updates) comments in CDPHE review

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

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