



STATE OF  
COLORADO

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

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## C1981022, Elk Creek Mine, May Inspection Report

1 message

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

Fri, May 31, 2024 at 2:38 PM

Attached

Leigh Simmons  
Environmental Protection Specialist



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

P 303.866.3567 x 8121 | C 720.220.1180 | F 303.832.8106  
1313 Sherman Street, Room 215, Denver, CO 80203  
[leigh.simmons@state.co.us](mailto:leigh.simmons@state.co.us) | <https://drms.colorado.gov>

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 **INSP-REPORTC\_C1981022\_LDS\_05312024021649.pdf**  
2250K



**PERMIT INFORMATION**

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

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> May 22, 2024 <b>Inspection Start Time:</b> 13:00 <b>Inspection End Date:</b> <b>Inspection End Time:</b>	<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear
<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>  May 31, 2024

**Inspection Topic Summary**

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

- N - Air Resource Protection
- N - Availability of Records
- N - Backfill & Grading
- N - Excess Spoil and Dev. Waste
- N - Explosives
- N - Fish & Wildlife
- R - Hydrologic Balance
- N - Gen. Compliance With Mine Plan
- R - Other
- N - Processing Waste
- N - Roads
- R - Reclamation Success
- N - Revegetation
- N - Subsidence
- N - Slides and Other Damage
- N - 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 partial inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was clear and dry. 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.

**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:

Elk Creek and Bear Creek continued to flow well below the flood levels seen in the spring of 2023. No damage to either channel was observed.

**OTHER (SPECIFY):**

All four of the burners at the Bear Creek methane destruction facility were operating at the time of the inspection. Work had recently taken place at the facility but appeared to be complete for the time being. The fence around the facility had been temporarily removed but had not yet been replaced.

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

The reclaimed and repaired slopes of the Elk Creek channel were stable, with vegetation continuing to establish itself.

**DOCUMENTS RECEIVED**

N/A

**OTHER (SPECIFY)**

N/A

Number of Partial Inspection this Fiscal Year: 8

Number of Complete Inspections this Fiscal Year: 3

**ENFORCEMENT ACTIONS/COMPLIANCE**

No enforcement actions were initiated as a result of this inspection, nor are any pending.

**PHOTOGRAPHS**



*Figure 1: Lower section of reclaimed Elk Creek channel*

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Figure 2: Reclaimed slopes of Elk Creek channel



Figure 3: Recently installed equipment and broken fence at Bear Creek methane destruction facility

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Number of Complete Inspections this Fiscal Year: 3



*Figure 4: All four burners at Bear Creek Methane Destruction Facility operating*

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