



## COLORADO


Division of Reclamation,  
Mining and Safety

Department of Natural Resources

### 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>  Michael Howard
<b>Operator Representative Signature: (Field Issuance Only)</b>  	

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> June 11, 2024 <b>Inspection Start Time:</b> 08:00 <b>Inspection End Date:</b> June 12, 2024 <b>Inspection End Time:</b> 09:30		<b>Inspection Type:</b> Coal Complete 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>  Brock Bowles	<b>Inspector's Signature:</b>    <b>Signature Date:</b>  June 21, 2024		

**Inspection Topic Summary**

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

N - Air Resource Protection	N - Roads
Y - Availability of Records	N - Reclamation Success
N - Backfill & Grading	Y - Revegetation
Y - Excess Spoil and Dev. Waste	N - Subsidence
N - Explosives	N - Slides and Other Damage
N - Fish & Wildlife	N - Support Facilities On-site
Y - Hydrologic Balance	N - Signs and Markers
Y - Gen. Compliance With Mine Plan	N - Support Facilities Not On-site
N - Other	N - Special Categories Of Mining
N - Processing Waste	Y - Topsoil

**COMMENTS**

This was a complete inspection of the Foidel Creek Mine conducted by Brock Bowles with the Colorado Division of Reclamation, Mining, and Safety (Division). Michael Howard of Twentymile Coal, LLC. (TC) was present for the inspection.

The weather at the time of the inspection was clear, warm and the ground was dry.

**AVAILABILITY OF RECORDS – Rule 5.02.4(1):**

The mine records were checked in the office. The records check list is available at the end of this report.

In an effort to ensure that all reclamation tasks are appropriately bonded for, the Division began a bond compliance review process for the Foidel Creek Mine. This review was completed in June of 2024 by Hunter Ridley with the Division. The total required bond amount of \$12,823,090.45 was checked for accuracy by review of each reclamation task currently listed in the permit's bond calculation and accompanied by an on-the-ground inspection of these reclamation task features. The Division began collecting on site data during the September 2023 inspection and continued throughout the 2023/2024 fiscal year. For reclamation features which were large in number, such as culverts and topsoil piles, a representative sample of feature data was collected from across the site. The following is a list of reclamation features checked on site:

Culvert design, Topsoil pile locations and footprint, Refuse area locations, access road lengths, borehole locations and footprint, number of ponds and their footprints, ditch lengths and locations, location of coal stockpiles, storage yard area, facility structures and their footprint.

The site-wide Reclamation Cost Estimate (RCE) was last updated with Permit Renewal No. 8 (RN-8) in September 2023. Three Minor Revisions, MR323, MR324, and MR325 have been approved since then. The associated surety increase for these revisions is currently covered by the surety excess Twentymile Coal, LLC (TC) holds with the Division. The excess amount currently held by the Division is \$437,253.55.

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Number of Complete Inspections this Fiscal Year: 4

An unofficial / partial bond compliance inspection process was completed in recent years by a prior Environmental Protection Specialist with the Division. Therefore, the RCE for Foidel Creek Mine reflected onsite conditions fairly accurately prior to this bond compliance inspection. Most representative features which were checked on the ground either matched to the currently bonded for length, area, sizing, etc. or were found to be constructed at a reduced size to the design for which it is currently permitted. Therefore, an update to these reclamation tasks would not be appropriate, as the Division is not under bonded for reclamation of these features.

As part of the compliance inspections, a representative sample of culverts were checked throughout the site for design accuracy. Some inaccuracies were noted. The demolition reclamation task for Foidel Creek Mine includes over 550 individual demolition structures. For ease of reference, the features updated in this section of the RCE have been listed below in Table 1, rather than be shown on the full, 38-page, demolition task sheet.

<b>Culvert Name</b>	<b>Permitted / Bonded Size (in)</b>	<b>Updated Size (in)</b>
G1A	36	48
E2B	21	24
E2C	21	24
E2D	21	24
E2E	21	24
Unnamed, additional culvert (MR322)	N/A	24

*Table 1: List of culvert design features updated or added to the RCE demolition task.*

A new “2024 Bond Compliance” RCE was generated using CIRCES software based on data collected and updated reclamation tasks. The updated estimated total cost to reclaim the site was minimal and is covered by TC’s excess bond amount of \$437,253.55. Therefore, the bond currently held by the Division is adequate.

#### EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09

Placement; Drainage Control; Surface Stabilization:

The wash plant was not running and therefore no waste was being hauled to the coal refuse pile. A large area of end-dumped material was on the wasted pile and had not been graded (photo 1). The area of end-dumped material was 10-15 acres in size. No machinery capable of grading the waste rock was on the stockpile.

The face of the waste pile was inspected. The bench below the bench currently being built is planned to be final graded during sometime in the next couple of months (photo 2). Survey stakes were in place marking the final configuration. No erosion gullies were seen on the face of the pile.

#### 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:

Pond B had recently been cleaned and contained water (photo 3).

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Pond C contained water and the primary spillway was clear of obstructions. The embankment appeared to be stable and was partially vegetated.

The sumps along the batch weigh loadout road were clean and free of obstructions. The culvert outlet under the batch weigh loadout road needs to have the cattails cleared (photo 4). The cattails are effectively clogging the culvert.

Pond D contained water and was discharging. The embankment appeared stable and was well vegetated. The primary and emergency spillways were clear of obstructions. The cattails at the discharge of Pond D had recently been cleaned (photo 5). The Pit Pond contained water and the pumps were running, supplying water to the mine workings.

Both cells in Pond E contained water and were not discharging. The embankment was well vegetated and appeared to be stable. The south cell was recently cleaned, and water was not flowing between the cells. The culvert E2E that goes under the road just south of Pond E is partially full of debris and needs to be cleaned (photo 6). The cattails surrounding the discharge culvert need to be cleared because they are obstructing the water flow (photo 7). The emergency spillway was clear of obstructions.

The E-1 ditch behind the maintenance shop was noted in the April 10, 2024 inspection report as being blocked by a pile of ice and debris. The large pile has melted and is no longer blocking the ditch but some debris remains in the ditch that needs to be removed to ensure proper operation (photo 8). Approximately 100 west of that pile there is another pile that is partially obstructing the E-1 ditch (photo 9). This pile also needs to be removed from the ditch to ensure the ditch can operate as designed.

Pond G contained water but was not discharging (photo 10). The primary and emergency spillways were clear of obstructions. The embankment was well vegetated and appeared to be stable.

The area north of the stoker coal loadout was clear of coal fines. The area to the west of the loadout building needs to be addressed (photo 11). There is a small pile of coal that needs to be cleaned up. The silt fence is loaded with coal and is not able to function properly. The sump along the road about 100 feet west of the stoker coal load out was in working order.

The passive treatment ponds were in operation and water was being pumped into the upper pond. The subsequent lower ponds were full and flowing to the lower pond. The last pond was discharging to the 6 MN Reservoir.

The 6 MN Ventilation Shaft pond contained water but was not discharging (photo 12).

#### GENERAL MINE PLAN COMPLIANCE:

The BOB pile on the west end of the mine facility is used to store clean coal. The pile was empty of coal and the French drain at the bottom of the pile was being repaired (photo 13). The trench was dug and is ready for a new pipe to be installed. The pipe will direct any water that accumulates in the pile to Pond B.

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The primary train loadout stockpile contained a small pile of coal. Coal was not being loaded on a train and a train was not on site. Coal was being loaded out by the truck loadout by Pond C.

#### REVEGETATION – Rule 4.15

##### Vegetative Cover; Timing:

Houndstongue is a Class B listed noxious weed and was seen around Pond C and many other areas. This species needs to be treated on all areas of the mine site.

#### TOPSOIL – Rule 4.06

Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:

The topsoil stockpiles along the 6 MN access road were well vegetated. Several topsoil signs were knocked over and need to be replaced or repaired.

#### DOCUMENTS RECEIVED

#### OTHER (SPECIFY)

### **ENFORCEMENT ACTIONS/COMPLIANCE**

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

### **PHOTOGRAPHS**

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Photo 1 – Waste material end-dumped on coal refuse pile.



Photo - Face of Coal refuse pile

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Photo 3 – Pond B, southern cell



Photo 4 – culvert outlet from pond c under batch weigh loadout road

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Photo 5 – Pond D discharge point cleared of cattails.



Photo 6 – Culvert under road leading to Pond E

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Photo 7 – Pond E discharge point needs to have cattails cleared.



Photo 8 – Ditch needs additional maintenance after snow pile melted.

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Photo 9 – A second pile behind maintenance shop needs to be removed from Ditch E-1



Photo 10 – Pond G primary spillway structure

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Photo 11 – Drainage area by Stoker Coal Loadout that needs to be maintained.



Photo 12 - 6 MN Ventilation Shaft Pond.

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Photo 13 – French Drain trench under the BOB pile

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

DRMS Permit	X
Permit Application w/Revisions	X
Findings Document	X -RN8
Insurance Certificate	X – 8/2024
Bond Document	X***
Phased Bond Release	X – SL1***
Documents/Findings	
Air Emission Permits	X
County Special Use Permits	X
UG Mining Landowner Notification	X
Subsidence Monitoring Reports	X
Subsidence Monitoring Data	X
Rill & Gully Survey	n/a
Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	X – 2023***
Midterm Review Documents	X – MT8***
DRMS/OSM Inspection	X
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	n/a
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	X – MR322***
<b>CERTIFICATIONS</b>	
Pond Certifications	X – 3Q 2023***
Annual Certifications for Impoundments	X – 2023
Fill Certifications for Excess Spoil or Underground Development Waste	X – 1Q 2024
• Quarterly Inspections	X – 1Q 2024
• Compaction Testing	X – 1Q 2024
• Final Certification	n/a
Coal Processing Waste Banks	X – 1Q 2024
Haul Road Certifications	X - ***
Access Road Certifications	n/a

**HYDROLOGIC RECORDS**

NPDES Permit	X - **
NPDES Records	X – 4/2024***
Stormwater Management Plan	X
SPCC Plan	X
MSHA Pond Inspections	X – 5/2024
	n/a
State Engineer's Pond Inspection	
Quarterly Pond Inspections	X – 1Q/2024***
Annual Hydrology Reports	X – 2023***
• Ground Water Monitoring	X
• Surface Water Monitoring	X
• Spring & Seep Monitoring	X
• Mine Water Discharge Monitoring	X
• Mine Inflow Study	X
• Water Consumption Records	X
Well Permits	X

**BLASTING RECORDS**

Blasting Publication	n/a
Blasting Records (3 years)	n/a
ATFE Explosives Permit	X – 2026
Blasting Variances	n/a
Pre-Blast Surveys	Na/

**ADDITIONAL RECORDS (specify)**


**COMMENTS:**


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\*\*\*NPDES permits are still under review by CDPHE

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\*\*\*Larger record documents are kept digitally in a publicly available computer

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STATE OF  
COLORADO

Bowles - DNR, Brock <brock.bowles@state.co.us>

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## Foidel Creek inspection report

1 message

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**Bowles - DNR, Brock** <brock.bowles@state.co.us>

Fri, Jun 21, 2024 at 3:49 PM

To: Miranda Kawcak <mkawcak@peabodyenergy.com>, "Howard, Michael" <MHoward@peabodyenergy.com>

Miranda and Mike,  
Here is the inspection report for the Foidel Creek Mine, C-1982-056, for June 2024.  
Brock

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**Brock Bowles**  
Environmental Protection Specialist



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

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