



STATE OF  
COLORADO

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

---

## C1981022, Elk Creek Mine, August Inspection Report

---

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

Fri, Sep 6, 2024 at 2:56 PM

Attached

Leigh Simmons  
Environmental Protection Specialist



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

P [720.220.1180](tel:720.220.1180)

1313 Sherman Street, Room 215, Denver, CO 80203

[leigh.simmons@state.co.us](mailto:leigh.simmons@state.co.us) | <https://drms.colorado.gov>




**INSP-REPORTC\_C1981022\_LDS\_09062024024347.pdf**  
3307K



**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> August 27, 2024 <b>Inspection Start Time:</b> 12:00 <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>  September 6, 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

N - Availability of Records

N - Reclamation Success

N - Backfill &amp; Grading

N - Revegetation

N - Excess Spoil and Dev. Waste

N - Subsidence

N - Explosives

N - Slides and Other Damage

N - Fish &amp; Wildlife

N - Support Facilities On-site

R - Hydrologic Balance

N - Signs and Markers

R - Gen. Compliance With Mine Plan

N - Support Facilities Not On-site

N - Other

N - Special Categories Of Mining

N - Processing Waste

N - Topsoil

**COMMENTS**

This was a partial inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was hot 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:

The water in the Elk Creek channel had completely dried up, despite recent stormy weather. The repaired sections of the channel were in good shape.

**GENERAL MINE PLAN COMPLIANCE:**

Facilities for the Gunnison Energy oil and gas project to the north of the permit area had been installed, and the hdpe water pipeline had been connected.

In Hubbard Creek Oxbow continued to prepare for a methane destruction project on Phase III released land. The gate on the access road to the project area had been secured.

**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: 2

Number of Complete Inspections this Fiscal Year: 0



## PHOTOGRAPHS



*Figure 1: Elk Creek Channel dry*

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0





Figure 2: Gunnison Energy facility



Figure 3: Gunnison Energy water tanks

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0





*Figure 4: Gunnison Energy pipeline*



*Figure 5: Eastern end of Gunnison Energy pipeline*

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0





*Figure 6: Overview of Gunnison Energy facility*



*Figure 7: Reclaimed Elk Creek channel*

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0