



STATE OF
COLORADO

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

C1983059, Terror Creek Loadout, August Inspection Report

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Wed, Sep 11, 2024 at 5:13 PM

To: Doug Smith <Doug.Smith@oxbow.com>

Cc: "Mackinnon, Daniel" <dmackinnon@osmre.gov>

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 | <https://drms.colorado.gov>




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PERMIT INFORMATION

Permit Number: C-1983-059 Mine Name: Terror Creek Loadout Operator: Oxbow Mining, LLC Operator Address: Mr Doug Smith PO Box 535 Paonia, CO 81434	County: Delta Operation Type: Loadout Permit Status: Active Ownership: Private
	Operator Representative Present: N/A
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: August 27, 2024 Inspection Start Time: 13:00 Inspection End Date: Inspection End Time:	Inspection Type: Coal Partial Inspection Inspection Reason: Normal I&E Program Weather: Clear
Joint Inspection Agency: None	Joint Inspection Contacts:
Post Inspection Agency: None	Post Inspection Contacts:
Inspector(s): Leigh Simmons	Inspector's Signature:  Signature Date: September 11, 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

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

N - Roads

N - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

N - 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 partial inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). Dan Mackinnon of the Office of Surface Mining, Reclamation and Enforcement (OSMRE) oversaw the inspection. The weather was clear, hot and dry. The gate to the site was locked. There was no mining-related activity at the site, but the site was being used for the storage of equipment and materials for other industrial and commercial activities.

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:

Following an unusually wet period in the region, a small puddle of water lay in the Sediment Pond. The Dug-out Pond was dry. Both ponds were stable and well vegetated.

GENERAL MINE PLAN COMPLIANCE:

The site was being used by two entities other than Oxbow Mining for industrial/commercial purposes unrelated to mining, consistent with the approved post-mining land use: Gunnison Energy continued to store sand in the temporary building, and Eddie Bowden, a local general contractor, continued to store equipment and materials on the upper pad. A small lightweight building had been constructed on the pad by Mr. Bowden.

SIGNS AND MARKERS – Rule 4.02:

The mine ID sign was in place at the entrance to the 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:

Unused topsoil was stockpiled and clearly marked. The surface of the pile was sufficiently well vegetated to prevent surface erosion.

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0

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: Mine ID sign



Figure 2: Overview of lower pad, in use by Gunnison Energy

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0



Figure 3: Dug-out Pond



Figure 4: Topsoil stockpile

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0



Figure 5: Sediment Pond



Figure 6: Upper pad, in use by Eddie Bowden

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0