



STATE OF
COLORADO

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

Inspection Report, Colowyo, C-1981-019

1 message

Ridley - DNR, Hunter <hunter.ridley@state.co.us>
To: "Tennyson, Tony" <tony.tennyson@tristategt.org>
Cc: Alysha Hernandez - DNR <alysha.hernandez@state.co.us>

Mon, Oct 7, 2024 at 8:00 AM

Tony,

Please find attached the report for the coal complete inspection conducted on 9/23 and 9/24. Feel free to reach out with any questions as you review the report.

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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 **InspReport_September_CC_C1981019.pdf**
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PERMIT INFORMATION

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|--|--|
| Permit Number: C-1981-019 Mine Name: Colowyo Coal Mine Operator: Colowyo Coal Company L.P. Operator Address: Mr Tony Tennyson 5731 State Highway 13 Meeker, CO 81641 | County: Moffat, Rio Blanco Operation Type: Surface Permit Status: Active Ownership: Private |
| | Operator Representative Present: |
| Operator Representative Signature: (Field Issuance Only) | |

INSPECTION INFORMATION

| | |
|--|---|
| Inspection Start Date: September 23, 2024 Inspection Start Time: 11:30 Inspection End Date: September 24, 2024 Inspection End Time: 13:30 | Inspection Type: Coal Complete 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): Hunter Ridley Ben Hammar | Inspector's Signature: <i>Hunter Ridley</i> Signature Date: October 7, 2024 |

Inspection Topic Summary

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

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

COMMENTS

This was a complete inspection of the Colowyo Coal Mine; DRMS Permit No. C-1981-019, operated by Colowyo Coal Company (Colowyo). The inspection was conducted by Hunter Ridley and Ben Hammar with the Colorado Division of Reclamation, Mining, and Safety (Division). Tom Fry of Colowyo accompanied the inspection on both inspection days. Weather during the inspection was clear with temperatures around 75° F. Weather conditions did not prohibit access to any areas of the site.

An application for Technical Revision 164 (TR-164) was received and called complete by the Division on September 19, 2024. TR164 provides as-builts for the Upper and Lower Section 3 Ponds (Photos 13 and 14). The Decision Date for TR 164 is November 19, 2024.

An application for a Phase I, II and III release of 5.5 acres in the East Pit (SL-23) was received by the Division on September 16, 2024. SL-23 proposes to release Streeter Ditch and Streeter Pond (Photo 3). The Division currently awaits the submission of an affidavit of publication for the bond release notice.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were checked at the mine office. See details at the end of report.

SIGNS AND MARKERS – Rule 4.02:

Mine identification signs were located at the mine entrance, throughout the site, and along State Highway 13. All information for compliance was observed.

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):

Certified Haul Roads A and B were navigable and in good condition. Other haul roads on site are considered in-pit and do not require certification. In pit roads were being routinely sprayed by a water truck to reduce dust.

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 1

BACKFILL and GRADING – Rule 4.14 Contemporaneous Reclamation 4.14.1; Approximate Original Contour 4.14.2; Highwall Elimination 4.14.1(2)(f); Steep Slopes 4.14.2, 4.27; Handling of Acid and Toxic Materials 4.14.3; Stabilization of Rills and Gullies 4.14.6:

West Pit

West Pit is near completion in terms of backfill operations. A new area at the southern end of the West Pit has been recently backfilled, graded, and topsoiled (Photo 23). Topsoil Pile 9B was used to topsoil this area. Seeding is planned for the fall as weather conditions allow.

Final reclamation for the rest of West Pit will likely be some of the last reclamation done on site at Colowyo. Other areas of the West Pit, to the north, have been both backfilled and reclaimed. The Division inspected these areas and found vegetation to be mature and stable (Photo 24).

South Taylor

No active backfill operations were observed in the South Taylor Pit during the inspection but backfill operations had progressed since the Division's last inspection (Photo 22). In times of active operation, spoil is excavated from a temporary pile located north of the pit. A highwall of product remains to the west for possible future use.

Collom

Backfilling was observed in the active cut area in Collom Pit in support of highwall mining operations (Photo 6).

East Pit

The Upper and Lower Section 3 Ponds in the East Pit have been completed (Photos 13 and 14). The approved access road around these ponds is also in place. As-built design materials are currently being reviewed by the Division under the submission of Technical Revision 164 (TR-164). These ponds were approved in TR-155 and are located within Streeter Ditch directly below the primary crushing facility at Colowyo. These sediment ponds will be used in a series, with the Lower Section 3 Pond being a non-discharging structure.

SUPPORT FACILITIES - Rule 4.04:

Existing structures in the Collom facilities area were checked against the facilities listed on Map 22B. All facilities listed were observed to be located in the corresponding areas represented on Map 22B. No additional structures or facilities were noted.

HYDROLOGICBALANCE - 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:

West Pit / South Taylor Pit

West Taylor Pond was inspected this month as part of the observance of the West Taylor Valley Fill (Photo 25). West Taylor Pond was holding water, embankments were stable, and water was flowing directly from the valley fill to the pond. Inlets and outlets remained free of obstruction or vegetative debris. The ETD1 stock pond was also inspected, which was holding a small amount of water (Photo 24). No issues were observed. The northern and southern reaches of the East Taylor Ditch, which are part of a tributary to East Taylor Ditch, were also visually inspected and found to be stable and free of issues with erosion or cutting.

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Collom Pit

The following Ponds in the Collom Pit area were inspected this month: Section 36 Pond, Sidehill Pond (Photo 8), Middle Pond (Photo 26), Section 25 Pond (Photo 26), and Section 26 Pond (Photo 10). No outstanding problems were noted at any of the ponds. All ponds were holding water. Discharge points remain clear of blockages. The sump area on the western end of Topsoil Pile 26A in Collom Pit was inspected and found to be holding a small amount of water. No issues were observed (Photo 11).

The small slump areas on the east and southwest sides of Section 26 Pond continue to be monitored for signs of movement, but overall remain stable. This southwest slump is likely due to a natural seep. Colowyo should continue to monitor this area closely for exaggerated signs of movement or degradation.

The following ditches in the Collom Pit area were inspected this month: D-1 (Photo 9), D-2 (Photos 11 and 12), D-3, and D-4 (Photo 8). These ditches were observed from vantage points near Collom Pit Ponds and were walked where accessible. All channels appeared to be stable and functioning properly with no signs of major erosion or undercutting.

During this inspection, construction of several channels and sumps along the Collom Haul Road and into the northern Collom pit area was observed. This disturbance was approved by the Division under TR-160 in November of 2023. These channels will help manage stormwater runoff from the Collom Haul Road. Some of the proposed channels will route stormwater runoff to existing sediment control structures and others are proposed to be routed to existing sumps or newly proposed sumps. One of these channels is routed to the east side of Middle Pond.

Train Loadout Area

The following ponds in the Loadout Area were inspected this month: Gossard Pond (Photo 2) and Stoker Siding Pond (Photo 1). The Rail Loop Pond was inaccessible due to restricted access from a train being loaded at the site. No problems or erosional concerns were noted. All ponds were noted to be holding water and all ponds had been recently cleaned of vegetation which would hinder containment.

A box culvert near this area was also inspected and found to be free of blockages and had no structural issues (Photo 5). The Temporary Facilities Pond and Wilson storage Pond, located adjacent to the rail loop area were inspected. These ponds collect stormwater from a small facilities storage area. Currently this area is utilized by the highwall mining company as equipment storage. Both ponds were inspected and found to be dry and partially vegetated, having not received water for some time.

East Pit

The following ditches in the East Pit were observed during the inspection: Section 15 Ditch, Prospect Ditch, Final East Pit Ditch and the North Tributary of East Pit Ditch. The following stock ponds were also observed: PD1, PD2, NTEP1 (Photo 16), EP1, EP2, and EP3. Streeter Ditch will be inspected in full at the Division's upcoming bond release inspection.

Reach 1, 2, and 3 of Prospect Ditch were observed, along with stock ponds PD1 and PD2 (Photo 15). No issues are noted.

Final East Pit Ditch was inspected on foot and from vantage points. The ditch was mostly dry, and no signs of erosion or obstruction were observed. Gabion boxes are in place along Final East Pit Ditch and remain well constructed. EP3 (Photo 17) and EP1 (Photo 19) were observed on foot. These were both holding a small amount of water. Reach 2 and Reach 1 (Photo 18) of Final East Pit Ditch were observed

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from EP1 and EP3 and noted to be stable. Reach 3 and EP2 were observed from a vantage point along the access road to Section 15 Pond.

Section 15 Ditch was viewed from the vantage point provided by its access road and was observed to be stable. Section 15 Pond was observed on foot (Photo 20). No erosional issues were noted at either feature and gabion boxes were functioning properly at Section 15 Pond.

Highway 13 Areas and Reclaimed Section 16 Pit

The Streeter Pond, Prospect Pond, and Section 28 Pond, accessible via Hwy 13, were inspected. Streeter and Prospect ponds held water at the time of inspection and all embankments appeared to be stable and vegetated. Section 28 Pond was dry (Photo 4). Section 16 Pond was also inspected (Photo 21). No issues were noted. Section 15 and 16 Ponds are frequented by local elk populations and several young elk were observed during inspection of these areas.

Streeter Ditch was observed from below at the Streeter Pond (Photo 3). The areas surrounding the Streeter Ditch and Pond have been Phase III bond released and SL-23 has been submitted to the Division, requesting the Phase III release of both Streeter Pond and Streeter Ditch. The State of Colorado Inactive Mines Program is currently conducting mitigation work for the historical Axial Basin underground coal fire. A drill rig and dozer were noted to be part of these non-mine related distances.

TOPSOIL – Rule 4.06:

Topsoil piles across the site contained appropriate markers. Topsoil Pile 26A, behind Section 26 Pond, will need to be seeded when conditions allow before the winter season (Photo 11). An ERTEC ‘S-Fence’ is located around the base of topsoil pile 26A. However, the state of mature vegetation behind this fence would allow for this BMP to be removed should Colowyo wish to do so. The sump which collects runoff from topsoil pile 26A was inspected, found to be functioning properly, and holding a small amount of water.

EXPLOSIVES – Rule 4.08 Distance Prohibitions 4.08.4; Warnings 4.08.4; Control of Adverse Effects 4.08.4:

No blasts were observed during the inspection. Blast records were checked at the mine office as part of the records review. Additional information can be found at the end of this report.

EXCESS SPOIL and DEVELOPMENT WASTE – Rule 4.09 Placement; Drainage Control; Surface Stabilization:

The West Taylor Valley Fill area was inspected from below at the West Taylor Pond (Photo 25). No major erosional issues were noted. The face is well covered with vegetation, which is predominantly made up of sagebrush and native grasses. Water was clearly flowing through the fill’s underdrain and into West Taylor Pond, as designed. The valley fill has a prism system in place which personnel at Colowyo use to track and potential movement on the fill slope.

Construction of the Collom Temporary Spoil Pile continues as mining in Collom Pit progresses. Temporary fill stockpiling is occurring just north of the active Collom Pit area. This area is encompassed by a berm to ensure spoil is contained within the approved disturbance boundary of the pile.

RECLAMATIONSUCCESS - Rule 4.15, Rule 3:

Reclamation parcels, located on the southeast side of South Taylor Pit, were observed. Vegetation appeared stable with no notable erosional issues. This area represents an experimental revegetation effort focused on the growth of shrubs and is surrounded by wildlife fencing. Reclamation in the West Pit is

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nearly complete; a majority of this area has been graded, topsoiled, seeded, and is supporting stable vegetation. There were no signs of erosion across this area.

Secluded and small patches of annual weeds were observed throughout the site. However, it was apparent that most weed populations had been recently sprayed by the site's weed team. Weeds have been effectively kept under control at the site throughout the summer season.

FISH and WILDLIFE – Rule 4.18:

No negative impact to wildlife was observed. Waterfowl were seen using the Pond along Highway 13 and within Collom Pit. A small group of elk were noted to be bedded down near Section 16 Pond. There was evidence that elk had also been inhabiting the valley area through which Taylor Creek flows.

GENERAL MINE PLAN COMPLIANCE:

Highwall mining operations were observed to be active in Collom Pit (Photo 6) and a large pile of product was being shaped as the highwall progressed. Truck teams were not observed at the time to be hauling blasted or mined material. A dragline was observed in the south end of Collom Pit moving spoil material (Photo 7). A train of ~100 cars was working its way through the rail loop area just south of CR 51.

Maintenance Items:

- Monitor the slump area at Section 26 Pond
- Seed the topsoil pile in the northern section of Collom Pit when conditions allow
- Monitor the small erosional feature in D4, repairs will be necessary if conditions worsen

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: View south of the spring fed Stoker Siding Pond.



Photo 2: View northwest of the recently cleaned Gossard Pond.

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Photo 3: View west of Streeter Pond and Streeter Ditch, proposed for release under SL-23.



Photo 4: View north of Section 28 Pond.

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Photo 5: View of a box culvert located adjacent to the rail loop, under the Collom haul road.



Photo 6: The highwall miner was active in the Collom Pit.

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Photo 7: View southeast of the dragline active in the south end of Collom Pit.



Photo 8: View south of Sidehill Pond and Ditch D-4 to the East.

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Photo 9: View north of the Sidehill Pond outlet and Ditch D-1.



Photo 10: View northeast of Section 26 Pond and the monitored slump area.

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Photo 11: View east of Ditch D-2 and Topsoil Pile 26A.



Photo 12: View south of Ditch D-1 from the western end of Ditch D-2.

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Photo 13: View East of the completed Lower Section 3 Ponds.



Photo 14: View north of the completed Upper Section 3 Pond.

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Photo 15: View east of stock pond PD2 and Reach 3 of Prospect Ditch.



Photo 16: View north of Reach 1 of the North Tributary, East Pit Ditch. Stock pond NTEP1 is located above.

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Photo 17: View west of stock pond EP3.



Photo 18: View east of Reach 1 of the Final Eat Pit Ditch.

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Number of Complete Inspections this Fiscal Year: 1



Photo 19: View west of stock pond EPI.



Photo 20: View of Section 15 Pond.

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Number of Complete Inspections this Fiscal Year: 1



Photo 21: View of Section 16 Pond.



Photo 22: View into the South Taylor Pit, currently being backfilled, with continued benching in the southwest corner.

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Photo 23: View west of the recently graded and topsoiled area of West Pit.



Photo 24: View west of ETD1 in West Pit.

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Photo 25: View upwards at the valley fill area south of West Taylor Pond.



Photo 26: View north of the outlet for Section 25 Pond, Middle Pond is visible in the distance.

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AVAILABILITY OF RECORDS

PERMIT RECORDS

| | |
|---|--------------------|
| DRMS Permit | Exp. 11/5/27 |
| Permit Application w/Revisions | Ok |
| Findings Document | RN-08 |
| Insurance Certificate | 3/1/25 |
| Bond Document | Ok |
| Phased Bond Release Documents/Findings | SL-22 |
| Air Emission Permits | 95MF1040/16MF1324F |
| County Special Use Permits | SUP08-10 & C-05-05 |
| UG Mining Landowner Notification | N/A |
| Subsidence Monitoring Reports | N/A |
| Subsidence Monitoring Data | N/A |
| Rill & Gully Survey | 2024 |
| Vegetation Monitoring Data | 2023 ARR |
| Specific Variance Approvals | Ok |
| Annual Reclamation Reports | 2023 |
| Midterm Review Documents | MT-08 |
| DRMS/OSM Inspection Reports/Enforcement Actions (3 Years) | Thru August 2024 |
| Transfers/Succession of Operator | Ok |
| Temporary Cessation Notification | N/A |
| Reclamation Cost Estimate | RN-08 |
| CERTIFICATIONS | |
| Pond Certifications | Thru 2nd Q 2024 |
| Annual Certifications for Impoundments | Ok |
| Fill Certifications for Excess Spoil or Underground Development Waste | Ok |
| • Quarterly Inspections | Thru 3rd Q 2024 |
| • Compaction Testing | N/A |
| • Final Certification | N/A |
| Coal Processing Waste Banks | N/A |
| Haul Road Certifications | Ok |
| Access Road Certifications | Ok |

HYDROLOGIC RECORDS

| | |
|-----------------------------------|------------------|
| NPDES Permit | CO 0045161 |
| NPDES Records | Thru August 2024 |
| Stormwater Management Plan | Ok |
| SPCC Plan | Ok |
| MSHA Pond Inspections | N/A |
| State Engineer’s Pond Inspection | N/A |
| Quarterly Pond Inspections | Thru July 2024 |
| Annual Hydrology Reports | 2024 |
| • Ground Water Monitoring | Ok |
| • Surface Water Monitoring | Ok |
| • Spring & Seep Monitoring | Ok |
| • Mine Water Discharge Monitoring | Ok |
| • Mine Inflow Study | N/A |
| • Water Consumption Records | Ok |
| Well Permits | Ok |

BLASTING RECORDS

| | |
|----------------------------|-----------------|
| Blasting Publication | 2024 |
| Blasting Records (3 years) | Thru 2nd Q 2024 |
| ATFE Explosives Permit | Ok |
| Blasting Variances | N/A |
| Pre-Blast Surveys | Ok |

ADDITIONAL RECORDS (specify)

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COMMENTS:

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