



STATE OF
COLORADO

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

C1983059, Terror Creek Loadout, October Inspection Report

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

Fri, Nov 1, 2024 at 12:00 PM

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

Attached

Leigh Simmons
Environmental Protection Specialist



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

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INSP-REPORTC_C1983059_LDS_11012024114805.pdf
2153K



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: Doug Smith
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: October 24, 2024 Inspection Start Time: 14:00 Inspection End Date: Inspection End Time:	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): Leigh Simmons	Inspector's Signature:  Signature Date: November 1, 2024

Inspection Topic Summary

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

N - Air Resource Protection

R - Availability of Records

N - Backfill & Grading

N - Excess Spoil and Dev. Waste

N - Explosives

N - Fish & Wildlife

N - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - 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 complete inspection by Leigh Simmons of the Division of Reclamation, Mining and Safety (Division). The weather was clear and dry. The gate to the site was secure. 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.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were available in the Elk Creek mine office. Details are given at the end of this report.

GENERAL MINE PLAN COMPLIANCE:

The temporary building on the lower pad had been emptied of sand. More was expected to be brought to the site in the spring of 2025. Gunnison Energy had preliminary plans to add concrete buttress reinforcements, bring power to the building, convert the first container on the north side to use as an office, and to extend the gravel pad to the fence.

The gravel pad had been treated with Magnesium chloride, which had been very effective in controlling dust.

Mr Bowden was busy on the upper pad, clearing a cottonwood tree that had been cut down.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

The substation structure and fence had been removed. DMEA were expected to remove the power poles in November.

The trailer had been removed from the upper pad.

DOCUMENTS RECEIVED

N/A

OTHER (SPECIFY)

N/A

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2

ENFORCEMENT ACTIONS/COMPLIANCE

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

PHOTOGRAPHS

Figure 1: Temporary building, empty of sand



Figure 2: Gravel pad, treated with $MgCl_2$

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Figure 3: Substation structure and fence removed



Figure 4: Upper pad

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2



Figure 5: Trailer removed from upper pad

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 2

AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Exp. 8/23/28
Permit Application w/Revisions	Yes
Findings Document	RN-8
Insurance Certificate	6/1/2025
Bond Document	\$290,000
Phased Bond Release Documents/Findings	N/A
Air Emission Permits	Terminated 2018
County Special Use Permits	Yes
UG Mining Landowner Notification	N/A
Subsidence Monitoring Reports	N/A
Subsidence Monitoring Data	N/A
Rill & Gully Survey	N/A
Vegetation Monitoring Data	N/A
Specific Variance Approvals	N/A
Annual Reclamation Reports	2023
Midterm Review Documents	MT-8
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	9/24
Transfers/Succession of Operator	SO-01
Temporary Cessation Notification	N/A
Reclamation Cost Estimate	RN-8
CERTIFICATIONS	
Pond Certifications	Yes
Annual Certifications for Impoundments	N/A
Fill Certifications for Excess Spoil or Underground Development Waste	N/A
• Quarterly Inspections	N/A
• Compaction Testing	N/A
• Final Certification	N/A
Coal Processing Waste Banks	N/A
Haul Road Certifications	Yes
Access Road Certifications	N/A

HYDROLOGIC RECORDS

NPDES Permit	CO0049044, exp. 10/1/2029
NPDES Records	Q3 2024
Stormwater Management Plan	Yes
SPCC Plan	Yes
MSHA Pond Inspections	N/A
State Engineer's Pond Inspection	N/A
Quarterly Pond Inspections	Q3 2024
Annual Hydrology Reports	2023
• Ground Water Monitoring	AHR
• Surface Water Monitoring	AHR
• Spring & Seep Monitoring	N/A
• Mine Water Discharge Monitoring	N/A
• Mine Inflow Study	N/A
• Water Consumption Records	N/A
Well Permits	Yes

BLASTING RECORDS

Blasting Publication	N/A
Blasting Records (3 years)	N/A
ATFE Explosives Permit	N/A
Blasting Variances	N/A
Pre-Blast Surveys	N/A

ADDITIONAL RECORDS (specify)

COMMENTS:

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