



STATE OF
COLORADO

Reilley - DNR, Robin <robin.reilley@state.co.us>

Sage Creek and Trapper IRs

1 message

Stark, James R <jstark@osmre.gov>
To: "Reilley - DNR, Robin" <robin.reilley@state.co.us>

Fri, Dec 13, 2024 at 12:16 PM

Sorry for the delay on these. Have a great Christmas.

James Stark

Environmental Protection Specialist

Office of Surface Mining, Reclamation and Enforcement

Denver Field Division, Denver Field Branch

Cell: (720) 696-5082

Office: (303) 236-4684

www.osmre.gov

2 attachments



Sage Creek Mine Complete Oversight Inspection Report - 10-7-2024 - FINAL.pdf
6395K



Trapper Mine Complete Oversight Inspection - 10-8-2024 - FINAL.pdf
9737K



U.S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation
State Program



1. Permittee/Person <div style="border: 1px solid black; padding: 2px;">PEABODY SAGE CREEK MINING LLC</div> 2. Address <div style="border: 1px solid black; padding: 2px;">701 MARKET ST SUITE 803</div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> 3. City <div style="border: 1px solid black; padding: 2px; width: 250px;">ST. LOUIS</div> 4. State <div style="border: 1px solid black; padding: 2px; width: 50px;">MO</div> 5. Zip Code <div style="border: 1px solid black; padding: 2px; width: 100px;">63101</div> 6. Phone Number <div style="border: 1px solid black; padding: 2px; width: 150px;">(314) 342-3400</div> 7. Operator Name, if Different than Permittee <div style="border: 1px solid black; padding: 2px;">SAGE CREEK COAL COMPANY LLC</div> 8. Mine Name <div style="border: 1px solid black; padding: 2px;">PEABODY SAGE CREEK</div>		9. Permit Number <div style="border: 1px solid black; padding: 2px;">C2009087</div> 11. Field Visit Date <div style="border: 1px solid black; padding: 2px;">10/7/2024</div> <small>mm - dd - yyyy</small> 12. Purpose <div style="border: 1px solid black; padding: 2px;">OC</div> 10. Permit Type <div style="border: 1px solid black; padding: 2px;">PP</div> 13. SRA Present <div style="border: 1px solid black; padding: 2px;">Y</div> 14. Permit Status <div style="border: 1px solid black; padding: 2px;">IN</div> 15. Site Status <div style="border: 1px solid black; padding: 2px;">NM</div> 16. Facility Type <div style="border: 1px solid black; padding: 2px;">B</div> 17. OSM Office # <div style="border: 1px solid black; padding: 2px;">140</div> 18. CCID # <div style="border: 1px solid black; padding: 2px; width: 100px;"></div> 19. Land Code <div style="border: 1px solid black; padding: 2px;">SF</div> 20. M.S.H.A. ID # <div style="border: 1px solid black; padding: 2px; width: 100px;"></div> 21. State Abbrev. <div style="border: 1px solid black; padding: 2px;">CO</div> 22. County/Burrough <div style="border: 1px solid black; padding: 2px;">ROUTT</div> 23. AVS Permittee Entity ID Number <div style="border: 1px solid black; padding: 2px;">251786</div> 24. State Office <div style="border: 1px solid black; padding: 2px; width: 100px;"></div>																		
25. Hours <table style="width:100%; border-collapse: collapse;"><tr><td style="border: 1px solid black; padding: 2px; width: 50px;">4.0</td><td style="padding-left: 10px;">a. Permit Review</td></tr><tr><td style="border: 1px solid black; padding: 2px;">4.0</td><td style="padding-left: 10px;">b. Site Visit Time</td></tr><tr><td style="border: 1px solid black; padding: 2px;">9.0</td><td style="padding-left: 10px;">c. Travel Time</td></tr><tr><td style="border: 1px solid black; padding: 2px;">4.0</td><td style="padding-left: 10px;">d. Report Writing</td></tr></table>		4.0	a. Permit Review	4.0	b. Site Visit Time	9.0	c. Travel Time	4.0	d. Report Writing	26. Signature Block <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;">Signature: <div style="border: 1px solid black; padding: 2px; display: inline-block;">James Stark, ID#591</div> Inspector's Name: Date: <div style="border: 1px solid black; padding: 2px;">12/13/2024</div></div>		27. Reviewing Official: <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;">Signature: <div style="border: 1px solid black; padding: 2px; display: inline-block;">Howard Strand</div> Reviewer's Name: Date: <div style="border: 1px solid black; padding: 2px;">12/13/2024</div></div>								
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Permit Type - Item 10 IP = Interim Program PP = Permanent Program NP = No Permit																				
Purpose Type Codes - Item 12 <table style="width:100%; border-collapse: collapse;"><tr><td style="width:33%;">Oxx...Oversight</td><td style="width:33%;">RFx...Reclamation Fees</td><td style="width:33%;">CCR...Citizen Complaint Referral (non-site visit)</td></tr><tr><td>Axx...Assistance</td><td>Fxx...Federal Actions</td><td>CC...Citizen Complaint (initial site visit)</td></tr><tr><td></td><td></td><td>CCF...Assistance</td></tr></table>						Oxx...Oversight	RFx...Reclamation Fees	CCR...Citizen Complaint Referral (non-site visit)	Axx...Assistance	Fxx...Federal Actions	CC...Citizen Complaint (initial site visit)			CCF...Assistance						
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Joint Inspection - Item 13 A joint inspection is when a state inspector accompanies an OSM inspector at any time during the review of the mine site																				
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Small Business Regulatory Enforcement Fairness Act (SBREFA) Your Comments are Important																				
<small>The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).</small>																				

U.S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation

Permittee/
Person **PEABODY SAGE CREEK MINING LLC**

Permit
Number **C2009087**

Field Visit
Date **10/7/2024**

State Program
Continuation Page

28. Performance Standard Categories

Codes:1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

A. Administrative

1. 1 Mining within Valid Permit
2. 1 Mining within Bonded Area
3. 1 Terms & Conditions of Permit
4. 1 Liability Insurance
5. 1 Ownership and Control
6. 1 Temporary Cessation
7. 1 AML Rec. Fees - Non-Respondent
8. 1 AML Rec. Fees - Failure to Pay

B. Hydrologic Balance

1. 1 Drainage Control
2. 1 Inspections & Certifications
3. 1 Siltation Structures
4. 1 Discharge Structures
5. 1 Diversions
6. 1 Effluent Limits
7. 1 Ground Water Monitoring
8. 1 Surface Water Monitoring
9. 1 Drainage - Acid-Toxic Materials
10. 1 Impoundments
11. 1 Stream Buffer Zones

C. Topsoil & Subsoil

1. 1 Removal
2. 1 Substitute Materials
3. 1 Storage and Protection
4. 1 Redistribution

D. Backfilling & Grading

1. 1 Exposed Openings
2. 1 Contemporaneous Reclamation
3. 1 Approximate Original Contour
4. 1 Highwall Elimination
5. 1 Steep Slopes (includes downslope)
6. 1 Handling of Acid and Toxic Materials
7. 1 Stabilization (rills and gullies)

E. Excess Spoil Disposal

1. 1 Placement
2. 1 Drainage Control
3. 1 Surface Stabilization
4. 1 Inspections & Certifications

F. Coal Mine Waste (Refuse Piles/Impoundments)

1. 1 Drainage Control
2. 1 Surface Stabilization
3. 1 Placement
4. 1 Inspections & Certifications
5. 1 Impounding Structures

G. Use of Explosives

1. 1 Blaster Certification
2. 1 Distance Prohibitions
3. 1 Blast Survey/Schedule
4. 1 Warnings & Records
5. 1 Control of Adverse Effects

H. 1 Subsidence Control Plan

I. Roads

1. 1 Road Construction
2. 1 Certification
3. 1 Drainage
4. 1 Surfacing and Maintenance
5. 1 Reclamation

J. Signs & Markers

1. 1 Signs
2. 1 Markers

K. 1 Distance Prohibitions

L. Revegetation

1. 1 Vegetative Cover
2. 1 Timing

M. 1 Postmining Land Use

N. Other

General
Performance
Category

Performance Standard Categories 30 CFR Counterparts

A. Administrative

1. Valid Permit 773.11
2. Mining within Bonded Area 773.11
3. Terms & Conditions of Permit 773.17
4. Liability Insurance 800.60
5. Ownership and Control 778.13
6. Temporary Cessation §42.11(e) & §16/817.131
7. AML Rec. Fees - Non-Respondent §70.15(b)
8. AML Rec. Fees - Failure to Pay §70.15(a)

B. Hydrologic Balance (816/817.41-57)

1. Drainage Control 45
2. Inspections & Certifications 49(a)(10)
3. Siltation Structures 46
4. Discharge Structures 47
5. Diversions 43
6. Effluent Limits 42
7. Ground Water Monitoring 41(c)
8. Surface Water Monitoring 41(e)
9. Drainage--Acid - Toxic Materials 41(f)
10. Impoundments 49
11. Stream Buffer Zones 57

C. Topsoil & Subsoil (816/817.22)

1. Removal 22(a)
2. Substitute Materials 22(c)
3. Storage and Protection 22(c)
4. Redistribution 22(d)

D. Backfilling & Grading (816/817.95-107)

1. Exposed Openings §16/817.13, 14, 15, & §23.11 & 21
2. Contemporaneous Reclamation 100
3. Approximate Original Contour 102(a)(1)
4. Highwall Elimination 102(a)(2)
5. Steep Slopes (includes downslope) 107
6. Handling of Acid & Toxic Materials 102(c)
7. Stabilization (rills and gullies) 95(b)

E. Excess Spoil Disposal (816/817.71-74)

1. Placement 71(e)
2. Drainage Control 71(f)
3. Surface Stabilization 71(g)
4. Inspections & Certifications 71(h)

F. Coal Mine Waste (Refuse Piles/Impoundments) (816/817.81-84)

1. Drainage Control 83(a)
2. Surface Stabilization 83(b)
3. Placement 83(c)
4. Inspections and Certifications 83(d)
5. Impounding Structures 84

G. Use of Explosives (816/817.61-68)

1. Blaster Certification 61(c)
2. Distance Prohibitions 61(d)
3. Blast Survey/Schedule 62-64
4. Warnings & Records 66 & 68
5. Control of Adverse Effects 67

H. Subsidence Control Plan (817.121-122)

I. Roads (816/817.150-151)

1. Road Construction 150(c)
2. Certification 151(a)
3. Drainage 150(b)-151(d)
4. Surfacing and Maintenance 150(e)-151(d)
5. Reclamation 150(f)

J. Signs & Markers (816/817.11)

1. Signs 11(a),(b),(c)
2. Markers 11(a),(b),(d),(e),(f)

K. Distance Prohibitions (761.11)

L. Revegetation (816/817.111-116)

1. Vegetative Cover 111 & 116
2. Timing 113

M. Postmining Land Use (816/817.133)

OSM Action

- 1) Deferred to State Action
- 2) TDN Issued
- 3) NOV Issued
- 4) FTA/CO Issued
- 5) IH-CO Issued
- 6) ID-CO Issued (Imminent Danger to Public)
- 7) Previously cited by RA, abatement pending
- 8) Abated during or before OSM inspection
- 9) Follow-up of Federal Action
- 0) Off-site impact with no violation

Off-Site Impacts

- For each type of impact and resource affected, enter "N, D, or J" to describe the degree of off-site impact:
- N - Minor Occurrence
 - D - Moderate Occurrence
 - J - Major Occurrence

Denver Field Branch Mine Site Evaluation Narrative

Permittee:	Peabody Sage Creek Mining, LLC
Operator:	Peabody Sage Creek Mining, LLC
Site:	Sage Creek Mine
Permit No:	C-2009-087
Date of Inspection:	October 7, 2024
Inspection Type:	Complete Oversight
Weather:	Warm and sunny
Operator Representatives:	Miranda Kawcak (office portion), Michael Howard (field portion)
State Official:	Robin Reilley
OSMRE Officials:	Jim Stark #591

Background

This was a complete oversight inspection of the Sage Creek Mine in Routt County, CO conducted by Jim Stark of the Office of Surface Mining, Reclamation and Enforcement (badge #591). Robin Reilley, representing the Colorado Division of Reclamation, Mining and Safety and Miranda Kawcak (office portion) and Michael Howard (field portion), representing Peabody Sage Creek Mining, LLC, were also present on the inspection. The Sage Creek Mine is in Permanent Cessation (PC) status. The weather was warm and sunny and ground was basically dry.

Availability of Records – Rule 5.02.4(1)

Records are required to be on site for public inspection. Since the Sage Creek Mine is in PC status, the Sage Creek Mine office is located at the Foidel Creek Mine. The operator uses the DRMS Laserfiche site for their public record storage. If a member of the public wanted to access the records at the mine site, the operator would set them up at a PC and log them into the DRMS Laserfiche site. The required records are all available on the DRMS Laserfiche. See the DRMS Availability of Records form at the end of this inspection report for more detailed information.

Mine and Permit Identification Signs – Rule 4.02

The mine ID sign was in place at the main entrance. The sign contained the information required by Rule (picture 01).

Hydrologic Balance – Rule 4.05

Pond 3 was full and had a slight discharge at the time of the inspection. The pond embankment was well vegetated and stable and no erosional problems were noted (picture 2). The emergency spillway is an open, riprapped channel. It was stable at the time of the inspection.

Pond 2 contained water and was discharging at the time of the inspection. The discharge was clear. There is a new flume in place. The flume appears to be installed correctly and no side-cutting or under-cutting was observed (picture 3). The pond embankment was well vegetated and stable and no erosional problems were noted (picture 4).

The settling pond and embankment for Pond 2 was stable. The ditch from the Pit Pond to this pond was well vegetated and stable (picture 5).

There is a spoil spring that is flowing in the east cut slope for the portal area. The spring runs in a ditch into the pit pond. There is an area where the spring leaves the ditch and flows onto the road then back into the ditch (picture 6). This area needs to be repaired.

The Pit Pond is an incised pond at the base of the highwall for the portals. The pond contained water but was not discharging at the time of the inspection. The pond was stable and no erosional problems were noted (picture 7).

Stream buffer zone signs were in place around the site as necessary. Some of the signs need to be repaired (picture 8).

The Pecoco pond contained water and was discharging at the time of the inspection. The discharge looked clear. The pond embankment was well vegetated and stable and no erosional problems were noted (picture 9).

Roads – Rule 4.03

The mine entrance road and the roads around the site were all well maintained and stable. No rutting or erosional problems were noted.

Miscellaneous

The bath house area was stable at the time of the inspection. There is a large amount of pipe and old equipment stored in this area (picture 10).

The portal area was stable and well maintained. All of the portals have been sealed to prevent people from entering (pictures 11 and 12).

The water tank bench and surrounding area were stable at the time of the inspection (picture 13). There are conveyors stored on the north edge of the bench (picture 14).

Enforcement Actions

There are no outstanding enforcement actions at the Sage Creek Mine and no enforcement actions or Ten-Day Notices were initiated as a result of the 10/7/2024 complete oversight inspection.

This concludes the 10/7/2024 complete oversight inspection report (pictures to follow).

Pictures



Picture 1 – Mine ID sign



Picture 2 – Pond 3



Picture 3 – New flume at Pond 2



Picture 4 – Pond 2



Picture 5 – Ditch from Pit Pond to Pond 2



Picture 6 – Spring leaving ditch



Picture 7 – Pit Pond



Picture 8 – Stream buffer zone sign needing repair



Picture 9 – Pecoco Pond



Picture 10 – Bath house area



Picture 11 – Portal area



Picture 12 – Sealed portal



Picture 13 – Water tank bench



Picture 14 – Conveyors at water tank bench

AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	PR2 2020
Permit Application w/Revisions	Yes
Findings Document	MT3 2023
Insurance Certificate	EXP Aug 2024
Bond Document	Yes SI 1 2024
Phased Bond Release	SL4 2017
Documents/Findings	
Air Emission Permits	Yes
County Special Use Permits	Yes
UG Mining Landowner Notification	Yes
Subsidence Monitoring Reports	Yes 2015
Subsidence Monitoring Data	na
Rill & Gully Survey	2016
Vegetation Monitoring Data	2017
Specific Variance Approvals	NA
Annual Reclamation Reports	2023
Midterm Review Documents	MT3 2023
DRMS/OSM Inspection	2023
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	2016 parent co
Temporary Cessation Notification	2016 deactivated
Reclamation Cost Estimate	RN8
CERTIFICATIONS	Permit
Pond Certifications	
Annual Certifications for Impoundments	2023 Q3
Fill Certifications for Excess Spoil or Underground Development Waste	NA
• Quarterly Inspections	NA
• Compaction Testing	NA
• Final Certification	NA
Coal Processing Waste Banks	NA
Haul Road Certifications	Permit
Access Road Certifications	Permit

HYDROLOGIC RECORDS

NPDES Permit	Yes
NPDES Records	Miranda's elec
Stormwater Management Plan	Yes 2024
SPCC Plan	Yes
MSHA Pond Inspections	NA
	NA
State Engineer's Pond Inspection	
Quarterly Pond Inspections	2024 Q2
Annual Hydrology Reports	2023
• Ground Water Monitoring	Yes
• Surface Water Monitoring	Yes
• Spring & Seep Monitoring	Yes
• Mine Water Discharge Monitoring	Yes
• Mine Inflow Study	Yes
• Water Consumption Records	Yes
Well Permits	Yes

BLASTING RECORDS

Blasting Publication	NA
Blasting Records (3 years)	NA
ATFE Explosives Permit	NA
Blasting Variances	NA
Pre-Blast Surveys	NA

ADDITIONAL RECORDS (specify)

COMMENTS: Items highlighted in yellow require addressing.

Refuse pile report is included with pond reports