

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

C1981022, Elk Creek Mine, March Inspection Report

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

Fri, Apr 4, 2025 at 6:27 PM

Attached

Leigh Simmons Environmental Protection Specialist



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

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INSP-REPORTC_C1981022_LDS_04042025061219.pdf 2027K



PERMIT INFORMATION

Permit Number: C-1981-022	County: Delta, Gunnison				
Mine Name: Elk Creek Mine	Operation Type: Underground				
Operator: Oxbow Mining, LLC	Permit Status: Active				
Operator Address:	Ownership: Private				
Mr Doug Smith					
3737 Hwy 133	Operator Representative Present:				
P. O. Box 535					
Somerset, CO 81434	Doug Smith				
Operator Representative Signature: (Field Issuance Only)					

INSPECTION INFORMATION

Inspection Start Date: March 27, Inspection Start Time: 13:00 Inspection End Date: Inspection End Time:	, 2025		Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Clear	
Joint Inspection Agency:		Joint Inspection Contacts:		
None				
Post Inspection Agency:		Post	Inspection Contacts:	
None				
Inspector(s):	Inspecto	r's Sig	gnature: Signature Date:	
Leigh Simmons	Di		April 4, 2025	

Inspection Topic Summary

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

N - Air Resource Protection R - Roads

R - Availability of Records **N** - Reclamation Success

N - Backfill & Grading
N - Excess Spoil and Dev. Waste
N - Subsidence

N - Excess Spoil and Dev. Waste
 N - Subsidence
 N - Sides and Other Damage
 N - Fish & Wildlife
 N - Support Facilities On-site

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N - Support Facilities On-site
Y - Signs and Markers

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

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were available in the mine office; details are given at the end of this report. Necessary updates had been made.

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:

Despite mild weather the water level in the creeks running through the permit area was not particularly high. A little water was pooled in Pond B, but otherwise ponds were dry.

OTHER (SPECIFY):

The Hubbard Creek Methane Destruction project (which is within the permit area but not a regulated mining activity) had progressed considerably, with the separator, pump, control room, and one of the two planned flares in place, and most of the plumbing complete. The facility will be fenced before it is brought online, but in the meantime access to the project area is restricted by a locked gate at the creek.

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):

Roads around the main facilities area were in good condition. The county road used to access the Hubbard Creek drainage was passable. No attempt was made to travel up the Bear Creek drainage.

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N/A

OTHER (SPECIFY)

N/A

ENFORCEMENT ACTIONS/COMPLIANCE

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

PHOTOGRAPHS



Figure 1: Locked gate securing access to Hubbard Creek Methane Destruction Facility



Figure 2: Control room and pump

LDS



Figure 3: First flare installed; pad ready for second



Figure 4: Separators

AVAILABILITY OF RECORDS

Permit Application w/Revisions Findings Document Insurance Certificate Jun 1, 2025 Bond Document Phased Bond Release Documents/Findings Air Emission Permits County Special Use Permits UG Mining Landowner Notification Subsidence Monitoring Data Rill & Gully Survey Vegetation Monitoring Data Specific Variance Approvals Annual Reclamation Reports DMR, 2/24 Oct 10, 2024 Oct 10, 2024 MSHA Pond Inspections Annual Hydrology Reports Quarterly Pond Inspections Annual Hydrology Reports Ground Water Monitoring Y Surface Water Monitoring Y Specific Variance Approvals Annual Reclamation Reports DMR, 2/24 Oct 10, 2024 Oct 10, 2024 Oct 10, 2024 N/A NSHA Pond Inspections Annual Hydrology Reports Ground Water Monitoring Y Surface Water Monitoring Y Spering & Seep Monitoring Y Specific Variance Approvals Annual Reclamation Reports DMR, 2/24 Oct 10, 2024 O	PERMIT RECORDS DRMS Permit	Oct 11, 2028	HYDROLOGIC RECORDS NPDES Permit	Exp. Sep 30, 2024*1
Insurance Certificate Jun 2025 SPC Plan Oct 10, 2024	Permit Application w/Revisions	Y	NPDES Records	
Insurance Certificate Jun 2025 SPC Plan Oct 10, 2024	Findings Document	MT-8	Stormwater Management Plan	Oct 15, 2024
Phased Bond Release Documents/Findings		Jun 1, 2025	SPCC Plan	Oct 10, 2024
Air Emission Permits County Special Use Permits UG Mining Landowner Subsidence Monitoring Reports Subsidence Monitoring Data Rill & Gully Survey V(ARR) Vegetation Monitoring Data Specific Variance Approvals Annual Reclamation Reports DRMS/OSM Inspection Reports/Enforcement Actions (3 Years) Transfers/Succession of Operator Temporary Cessation Notification Reclamation Cost Estimate CERTIFICATIONS Pond Certifications Fill Certifications for Impoundments Fill Certifications for Excess Spoil or Underground Development Waste • Quarterly Pond Inspections Q4, 2024 Annual Hydrology Reports 2024 • Ground Water Monitoring Y Surface Water Monitoring Y • Spring & Seep Monitoring Y • Mine Water Discharge Monitoring Well Permits • Mine Inflow Study • Well Permits • Mary Annual Records • Well Permits Blasting Publication Pra Blasting Records (3 years) Pre-Blast Surveys • ADDITIONAL RECORDS (specify) COMMENTS:	Bond Document	\$2M	MSHA Pond Inspections	n/a
Air Emission Permits	Phased Bond Release	SL-1 through 8	State Engineer's Pond	n/a
County Special Use Permits UG Mining Landowner Y Subsidence Monitoring Reports Subsidence Monitoring Data Rill & Gully Survey Y Vegetation Monitoring Data Annual Reclamation Reports Annual Reclamation Reports DRMS/OSM Inspection Transfers/Succession of Operator Temporary Cessation Notification Reclamation Cost Estimate CERTIFICATIONS Pond Certifications Pond Certifications Fill Certifications for Excess Spoil or Underground Development Waste Quarterly Inspections Haul Road Certifications Access Road Certifications Y Annual Mydrology Reports Ordinal Hydrology Prescript Ordinal Hydrology	Documents/Findings		Inspection	
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