

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

C1983059, Terror Creek Loadout, March Inspection Report

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

Fri, Apr 4, 2025 at 6:52 PM

Attached

Leigh Simmons Environmental Protection Specialist



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

P 720.220.1180

1313 Sherman Street, Room 215, Denver, CO 80203 leigh.simmons@state.co.us | https://drms.colorado.gov

INSP-REPORTC_C1983059_LDS_04042025064422.pdf



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 Issua	nce Only)

INSPECTION INFORMATION

Inspection Start Date: March 27, Inspection Start Time: 14:30 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		Post	ost Inspection Contacts:		
None					
Inspector(s):	Inspecto	r's Sig	nature: 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 N - Roads

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

 ${f N}$ - Backfill & Grading ${f R}$ - Revegetation

N - Excess Spoil and Dev. Waste N - Subsidence

N - Explosives
 N - Slides and Other Damage
 N - Fish & Wildlife
 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
Y - 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.

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:

Both the dugout pond and the sediment pond were dry.

GENERAL MINE PLAN COMPLIANCE:

There was no activity on the lower pad. The temporary building was empty of sand. Some equipment was parked in the fenced area.

The two tenants on the upper pad were continuing with their activities.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

The embankment above the railroad was stable, but some areas were quite sparsely vegetated, and much of the vegetation that was emerging appeared to be "whitetop" (AKA Hoary Cress).

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.

PHOTOGRAPHS



Figure 1: Sediment Pond



Figure 2: Dugout pond



Figure 3: Topsoil stockpile and railroad embankment



Figure 4: Sparse vegetation on railroad embankment



Figure 5: Lower pad



Figure 6: Temporary building

AVAILABILITY OF RECORDS

Permit Application w/Revisions Findings Document RN-8 RN-8 RN-8 Stornwater Management Plan Yes Spec Plan N/A State Engineer's Pond Inspections N/A Nounty Special Use Permits UG Mining Landowner N/A Subsidence Monitoring Reports Subsidence Monitoring Data Rill & Gully Survey N/A Nountification Vegetation Monitoring Data Annual Reclamation Reports DRMs/OSM Inspection Records N/A Annual Reclamation Cost Estimate CERTIFICATIONS Pond Certifications Fill Certifications Fill Certifications Fill Certifications N/A COMMENTS: * 1 Required reporting frequency reduced to 6 months N/A COMMENTS: * 1 Required reporting frequency reduced to 6 months N/A Subsubatence Ranagement Plan Yes Stornwater Management Plan Yes N/A MSHA Pond Inspections N/A Ouarterly Pond Inspections Quarterly Pond Inspections A/A Ouarterly Pond Inspections A/A Ouar	Permit Application w/Revisions Findings Document RN-8 Stormwater Management Plan Yes Yes Stormwater Management Plan Yes Stormwater Managem	PERMIT RECORDS DRMS Permit	Exp. 8/23/28	HYDROLOGIC RECORDS NPDES Permit	CO0049044, exp. 10/1/2029
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*1 Required reporting frequency reduced to 6 months	*1 Required reporting frequency reduced to 6 months	COMMENTS:			
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