



STATE OF
COLORADO

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

C1981022, Elk Creek Mine, June Inspection Report

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Mon, Jul 7, 2025 at 1:57 PM

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

Attached

Leigh Simmons
Environmental Protection Specialist



COLORADO
Division of Reclamation,
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Department of Natural Resources

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INSP-REPORTC_C1981022_LDS_07072025014909.pdf
2020K



PERMIT INFORMATION

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

INSPECTION INFORMATION

Inspection Start Date: June 24, 2025 Inspection Start Time: 13:00 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: July 7, 2025

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

R - Hydrologic Balance

N - Gen. Compliance With Mine Plan

R - Other

N - Processing Waste

N - Roads

N - Reclamation Success

R - Revegetation

N - Subsidence

N - Slides and Other Damage

N - Support Facilities On-site

Y - 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 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.

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:

Flow in Elk Creek had reduced to a trickle.

OTHER (SPECIFY):

The Hubbard Creek Methane Destruction project (which is within the permit area but not a regulated mining activity) was secured by a locked gate at the creek. Only one of the two planned flares was in place.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

Vegetation around the facilities area looked very good. Noxious weeds had been well controlled.

DOCUMENTS RECEIVED

N/A

OTHER (SPECIFY)

N/A

Number of Partial Inspection this Fiscal Year: 8

Number of Complete Inspections this Fiscal Year: 4

ENFORCEMENT ACTIONS/COMPLIANCE

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

PHOTOGRAPHS



Figure 1: Facilities area (substation, bath house, fuel storage)

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Figure 2: Facilities area (office, shop). and reclaimed Elk Creek channel



Figure 3: Elk Creek

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Figure 4: Hubbard Creek Methan Destruction Project

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Oct 11, 2028
Permit Application w/Revisions	Y
Findings Document	MT-8
Insurance Certificate	Jun 1, 2025
Bond Document	\$2M
Phased Bond Release Documents/Findings	SL-1 through 8

Air Emission Permits	Cancelled
County Special Use Permits	Y, 1997
UG Mining Landowner Notification	Y
Subsidence Monitoring Reports	Y, Oct 2024
Subsidence Monitoring Data	Y
Rill & Gully Survey	Y (ARR)

Vegetation Monitoring Data	n/a
Specific Variance Approvals	n/a
Annual Reclamation Reports	2024

Midterm Review Documents	MT-8
DRMS/OSM Inspection Reports/Enforcement Actions (3 Years)	Through 4/25

Transfers/Succession of Operator	Y
Temporary Cessation Notification	n/a
Reclamation Cost Estimate	RN-8

CERTIFICATIONS

Pond Certifications	Y
Annual Certifications for Impoundments	n/a

Fill Certifications for Excess Spoil or Underground Development Waste

• Quarterly Inspections	Q1, 2025
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Haul Road Certifications	Y
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Access Road Certifications	Y
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HYDROLOGIC RECORDS

NPDES Permit	Exp. Sep 30, 2024*1
NPDES Records	DMR, 5/25
Stormwater Management Plan	Oct 15, 2024
SPCC Plan	Oct 10, 2024
MSHA Pond Inspections	n/a
State Engineer's Pond Inspection	n/a
Quarterly Pond Inspections	Q1, 2025
Annual Hydrology Reports	2024
• Ground Water Monitoring	Y
• Surface Water Monitoring	Y
• Spring & Seep Monitoring	Y
• Mine Water Discharge Monitoring	Y
• Mine Inflow Study	Y
• Water Consumption Records	n/a
Well Permits	195278-195286, 197377, 197378

BLASTING RECORDS

Blasting Publication	n/a
Blasting Records (3 years)	n/a
ATFE Explosives Permit	Exp. Jun 1, 2015
Blasting Variances	n/a
Pre-Blast Surveys	n/a

ADDITIONAL RECORDS (specify)**COMMENTS:**

*1 Administratively extended

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