



STATE OF
COLORADO

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

C1983059, Terror Creek Loadout, December Inspection Report

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

Fri, Dec 12, 2025 at 2:26 PM

Attached

Leigh Simmons
Environmental Protection Specialist



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

P 720.220.1180

Physical address: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing address: Colorado Division of Reclamation, Mining and Safety, Room 215, 1001 E 62nd Avenue, Denver, CO 80216
leigh.simmons@state.co.us | <https://drms.colorado.gov>

INSP-REPORTC_C1983059_LDS_12122025021021.pdf
1060K



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: December 9, 2025 Inspection Start Time: 15:00 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: December 12, 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
N - Backfill & Grading	N - Revegetation
N - Excess Spoil and Dev. Waste	N - Subsidence
N - Explosives	N - Slides and Other Damage
N - Fish & Wildlife	N - Support Facilities On-site
N - Hydrologic Balance	N - Signs and Markers
R - 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, with some snow on the ground. The gate to the site was locked. 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 at the Elk Creek Mine office. Details are given at the end of this report.

GENERAL MINE PLAN COMPLIANCE:

There had been no recent changes at the site. The site was secure behind a locked gate. The lower pad was further secured behind a second locked gate and chain link fence. The temporary building was empty. The upper pad continued to be used by Oxbow's tenants for the storage and maintenance of equipment and material. The site was tidy and in good order.

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.

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

PHOTOGRAPHS



Figure 1: Temporary building



Figure 2: Lower pad

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Figure 3: Lower pad and office building

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AVAILABILITY OF RECORDS**PERMIT RECORDS****DRMS Permit**

Exp. 8/23/28

Permit Application w/Revisions**Findings Document**

Yes

RN-8

Insurance Certificate

6/1/2026

Bond Document

\$290,000

Phased Bond Release

N/A

Documents/Findings**Air Emission Permits**

Terminated 2018

County Special Use Permits

Yes

UG Mining Landowner

N/A

Notification**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

2024

Midterm Review Documents

MT-8

DRMS/OSM Inspection

11/24

Reports/Enforcement Actions (3 Years)**Transfers/Succession of Operator**

SO-01

Temporary Cessation Notification

N/A

Reclamation Cost Estimate

RN-8

CERTIFICATIONS**Pond Certifications**

Yes

Annual Certifications for**Impoundments**Fill Certifications for Excess Spoil
or Underground Development

Waste

N/A

- Quarterly Inspections
- Compaction Testing
- Final Certification

Coal Processing Waste Banks

N/A

Haul Road Certifications

N/A

Access Road Certifications

Yes

N/A

HYDROLOGIC RECORDS**NPDES Permit**CO0049044, exp.
10/1/2029

Q3 2024*1

Yes

Yes

N/A

NPDES Records**Stormwater Management Plan****SPCC Plan****MSHA Pond Inspections****State Engineer's Pond****Inspection**

N/A

Quarterly Pond Inspections

Q3 2025

Annual Hydrology Reports

2024

• Ground Water Monitoring

AHR

• Surface Water Monitoring

AHR

• Spring & Seep Monitoring

N/A

• Mine Water Discharge

N/A

Monitoring**• Mine Inflow Study**

N/A

• Water Consumption

N/A

Records**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:

*1 Required reporting frequency reduced to 6 months

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