




COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY COAL PROGRAM INSPECTION REPORT



PERMIT INFORMATION

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

INSPECTION INFORMATION

| | | | |
|--|--|---|---|
| Inspection Start Date: February 20, 2013 Inspection Start Time: 08:00 Inspection End Date: February 20, 2013 Inspection End Time: 10:30 | | Inspection Type: Coal Partial Inspection Inspection Reason: Normal I&E Program Weather: Cloudy | |
| Joint Inspection Agency: None | | Joint Inspection Contacts: | |
| Post Inspection Agency: None | | Post Inspection Contacts: | |
| Inspector(s): Brock F. Bowles | Inspector's Signature:  | | Signature Date: February 25, 2013 |

Inspection Topic Summary

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

R - Air Resource Protection**N** - Availability of Records**R** - Backfill & Grading**N** - Excess Spoil and Dev. Waste**R** - Explosives**N** - Fish & Wildlife**R** - Hydrologic Balance**N** - Gen. Compliance With Mine Plan**N** - Other**R** - Processing Waste**R** - Roads**N** - Reclamation Success**N** - Revegetation**N** - Subsidence**N** - Slides and Other Damage**N** - Support Facilities On-site**R** - Signs and Markers**N** - Support Facilities Not On-site**N** - Special Categories Of Mining**N** - Topsoil**COMMENTS**

This was a partial inspection of the Elk Creek Mine conducted by Brock Bowles of the Colorado Division of Reclamation, Mining & Safety. Jim Kiger of Oxbow Mining, LLC was present for the inspection. The weather was partly cloudy, cold with no wind. The main facilities area was clear of snow. Since the last inspection, a hot spot was discovered in the vicinity of the longwall miner. The mine workings around the longwall miner have been sealed to extinguish any combustion resulting in the temporary interruption of longwall production. It is unclear at this time when the seals will be opened to retrieve the longwall. Mine development has started in fee coal area approaching the federal coal lease area that was approved in PR-7 (Oct 2012). The mine ventilation fans were not in operation.

AIR RESOURCE PROTECTION – Rule 4.17:

The coal stockpile was relatively small. Coal was being stacked on the pile from the mine development work during the inspection. There were no signs of fugitive dust on site or off.

BACKFILL and GRADING – Rule 4.14

Contemporaneous Reclamation 4.14.1; Approximate Original Contour 4.14.2; Highwall Elimination 4.14.1(2)(f); Steep Slopes 4.14.2, 4.27; Handling of Acid and Toxic Materials 4.14.3; Stabilization of Rills and Gullies 4.14.6:

The area of the Sanborn Creek Mine portals appeared to be stable.

EXPLOSIVES – Rule 4.08

Distance Prohibitions 4.08.4; Warnings 4.08.4; Control of Adverse Effects 4.08.4:

The area around the detonation cap and explosive lockers was free and clear of debris and vegetation.

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:

Ponds A1, B and D contained water and none were discharging (photo 1). The banks appeared to be stable. Ponds C and E were inaccessible due to poor road conditions and snow. The East Yard Pond had some

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 3

stacked snow but did not contain water (photo 2). The sediment trap west of the bath house contained some water but was clear of sediment (photo 3).

The clean water diversion ditch above and east of Pond D was clean and well defined (photo 4).

OTHER (SPECIFY):

The underground mine atmosphere was being monitored by MSHA. The monitoring equipment at the Bear Creek Fansite consisted of air pumps in a heated tent (photo 5), diesel fuel tank, diesel heater, generator (photo 6) and tubing/hoses running from the monitoring tent down the airshaft (photo 7). The Elk Creek Fansite had the monitoring tubing/hoses set up but not the additional equipment (photo 8).

PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11

Drainage Control; Surface Stabilization; Placement:

The II West Waste Pile was inaccessible due to road conditions and snow.

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):

The roads in the facilities area were well maintained and a water truck was spraying water on the roads.

SUPPORT FACILITIES - Rule 4.04:

It appeared that the switches on the Bear Creek fansite substation were open, disconnecting the power source to the site (photo 9). The fan was not running during the inspection.

SIGNS AND MARKERS – Rule 4.02:

The main entrance sign was in place and contained all the required information.

DOCUMENTS RECEIVED: None

ENFORCEMENT ACTIONS/COMPLIANCE

No enforcement actions were taken as a result of this inspection and none are pending.

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 3

PHOTOGRAPHS



Photo 1 – Pond A1



Photo 2 – East Yard Pond



Photo 3 – Sediment Trap East of Bath House



Photo 4 – Clean Water Diversion Above Pond D



Photo 5 – Heated Tent with Air Pumps



Photo 6 – Generator, Diesel Tank & Heater

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 3



Photo 7–Monitoring Tubes - Bear Creek Fansite Photo 8–Monitoring Tubes - Elk Creek Fansite



Photo 9 – Open Switches at the Bear Creek Sub-Station

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 3