




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



PERMIT INFORMATION

Permit Number: C-1983-059 Mine Name: Terror Creek Loadout Operator: Terror Creek LLC Operator Address: Mr James A Kiger P.O. Box 535 3737 Highway 133 Somerset, CO 81434	County: Delta Operation Type: Loadout Permit Status: Active Ownership: Private
	Operator Representative Present: Jim Kiger
Operator Representative Signature: (Field Issuance Only) N/A – Issued from Denver Field Office	

INSPECTION INFORMATION

Inspection Start Date: June 6, 2013 Inspection Start Time: 11:15 Inspection End Date: June 6, 2013 Inspection End Time: 15:15	Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Clear
Joint Inspection Agency: None	Joint Inspection Contacts: None
Post Inspection Agency: None	Post Inspection Contacts: None
Inspector(s): James R. Stark	Inspector's Signature:  Signature Date: 18 June 2013

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

R - Gen. Compliance With Mine Plan

N - Other

N - Processing Waste

R - Roads

N - Reclamation Success

N - Revegetation

N - Subsidence

N - Slides and Other Damage

R - Support Facilities On-site

N - Signs and Markers

N - Support Facilities Not On-site

N - Special Categories Of Mining

R - Topsoil

COMMENTS

This was a complete inspection of the Terror Creek Loadout conducted by Jim Stark of the Colorado Division of Reclamation, Mining and Safety. Jim Kiger, representing Terror Creek, LLC, accompanied me on the inspection. The loadout was not actively receiving, processing, loading or shipping any coal at the time of the inspection. The weather was hot and sunny and the ground was dry.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

- All of the necessary records were available at either the Elk Creek Mine's office or the Terror Creek Loadout's office. The two locations for the records is acceptable because the loadout is only operational on an as-needed basis. Anyone wanting to access any of the Terror Creek Loadout's records would need to contact Jim Kiger at the Elk Creek Mine to access the records. Please see the Availability of Records form at the end of this inspection report for more detailed information.

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:

- The sediment pond was dry at the time of the inspection. The pond embankment was well vegetated and stable and no erosional problems were noted. The emergency spillway was clear and stable.
- The dug-out pond was dry at the time of the inspection. The pond was well vegetated and stable and no erosional problems were noted.
- The roadside ditches were all dry at the time of the inspection. The ditches were clean, with very little sediment observed. The ditches were well vegetated and stable and there were no erosional problems noted in either the ditch inslopes or the ditch bottoms.

Number of Partial Inspection this Fiscal Year: 9

Number of Complete Inspections this Fiscal Year: 4

GENERAL MINE PLAN COMPLIANCE:

- The Terror Creek Loadout is a loadout only. Operations at the site include processing coal (sizing coal) and loading trains. The site was not operating at the time of the inspection and will only be operational when an order for coal is received. There were sizable stockpiles of lump and stoker coal at the time of the inspection. The coal fines pile has been moved to the Elk Creek Mine. There were no problems noted with the coal processing operations and they are consistent with what is approved in the permit.

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 haul road from the loadout entrance to the truck scale is a paved road. This road was well maintained and stable. There were no problems noted with the road or the road embankments. The remaining haul road, from the scale to the truck dump and back to the paved portion of the road, is a dirt road. This road was dry and remains stable and well maintained and no problems were noted at the time of the inspection.

SUPPORT FACILITIES - Rule 4.04:

- The fuel island area was in good condition at the time of the inspection. There was no sign of any spilled fuel.
- The loadout structure was stable at the time of the inspection.
- The mine office and shop area were stable at the time of the inspection. No problems were noted with either of these buildings or the parking area/pad.

SIGNS AND MARKERS – Rule 4.02:

- The topsoil stockpile by the sediment pond was well vegetated and stable and no erosional problems were noted. The pile was sprayed in the fall for cheat grass (*bromus tectorum*). The pile will be reseeded in the areas that were sprayed.

DOCUMENTS RECEIVED: None

This concludes the 6 June 2013 complete inspection report for the Terror Creek Loadout.

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ENFORCEMENT ACTIONS/COMPLIANCE

There are no outstanding enforcements at the Terror Creek Loadout and none were issued as a result of the 6 June 2013 complete inspection at the Terror Creek Loadout

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	Exp 23 Aug 13 ^A
Permit Application w/Revisions	X
Findings Document	X
Insurance Certificate	Exp 1 June 2013 ^B
Bond Document	\$278,000.00
Phased Bond Release	N/A
Documents/Findings	
Air Emission Permits	X
County Special Use Permits	X
UG Mining Landowner Notification	N/A
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	2012 Rpt
Midterm Review Documents	23 Feb 11
DRMS/OSM Inspection	X
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	X
Temporary Cessation Notification	N/A
Reclamation Cost Estimate	X
CERTIFICATIONS	
Pond Certifications	X
Annual Certifications for Impoundments	N/A
Fill Certifications for Excess Spoil or Underground Development Waste	N/A
• Quarterly Inspections	N/A
• Compaction Testing	N/A
• Final Certification	N/A
Coal Processing Waste Banks	N/A
Haul Road Certifications	X
Access Road Certifications	N/A

HYDROLOGIC RECORDS

NPDES Permit	X
NPDES Records	X
Stormwater Management Plan	X
SPCC Plan	X
MSHA Pond Inspections	N/A
	N/A
State Engineer's Pond Inspection	
Quarterly Pond Inspections	1Q13
Annual Hydrology Reports	2012 Rpt
• Ground Water Monitoring	X
• Surface Water Monitoring	X
• Spring & Seep Monitoring	N/A
• Mine Water Discharge Monitoring	N/A
• Mine Inflow Study	N/A
• Water Consumption Records	N/A
Well Permits	X

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: A: The Division is currently writing the Findings document for RN-06

B: The insurance was expired but Jim Kiger sent a new copy (pdf) that was in my inbox when I returned to the office – the new expiration date is 1 June 2014.

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