




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



### PERMIT INFORMATION

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

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> June 19, 2013 <b>Inspection Start Time:</b> 08:00 <b>Inspection End Date:</b> June 19, 2013 <b>Inspection End Time:</b> 12:00		<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear	
<b>Joint Inspection Agency:</b>  None		<b>Joint Inspection Contacts:</b>  	
<b>Post Inspection Agency:</b>  None		<b>Post Inspection Contacts:</b>  	
<b>Inspector(s):</b>  Brock F. Bowles	<b>Inspector's Signature:</b>  		<b>Signature Date:</b>  June 26, 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**R** - Other**R** - Processing Waste**R** - Roads**N** - Reclamation Success**R** - 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**R** - 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 sunny and warm with no wind. The main facilities and parking area were well maintained. The main mine workings are still sealed as a result of the spontaneous combustion event that occurred in January of this year. The mine is currently being dewatered by the dewatering wells that were approved in MR-104 and MR-105. It is unknown at this time when the mine seals will be removed. Mine development work continued in the east lease area that was approved in PR-7 (Oct 2012). The Elk Creek mine ventilation fan was in operation.

**AIR RESOURCE PROTECTION – Rule 4.17:**

Coal was being stacked on the coal stockpile and coal waste was being stacked on the II West Coal Refuse Pile 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:

There were no signs of slumping or cracking at the Sanborn Creek portals (photo 1).

**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 B and D contained water and neither were discharging (photo 2). Ponds A and East Yard were recently cleaned. Pond E did not contain water. Straw waddles were installed as sediment control structures in the road side ditch along the Pond C Light Use Road. A flexible propane pipe was in ditch D-6, west of the Elk Creek

Number of Partial Inspection this Fiscal Year: 11

Number of Complete Inspections this Fiscal Year: 4

Fan (photo 3). This pipe needs to be removed from the ditch.

**OTHER (SPECIFY):**

A mine atmosphere monitoring tent was set up next to the Elk Creek de-gas well.

**PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11 □ Drainage Control; Surface Stabilization; Placement:**

Coal waste was being stacked on the II West refuse pile and a bulldozer was spreading the material into a uniform lift (photo 4). An excavator was removing soil from the hillside preparing for the next lift (photo 5).

The lower access road to the II West Refuse Pile was blocked off by large boulders where the road entered the refuse area. The road area is being backfilled with waste material and is now considered closed. A rock lined ditch separates the undisturbed hillside to the east and the former road/backfill area (photo 6).

Rocks and barrier blanket were staged for the continued construction of the II West Refuse pile underdrain (photo 7).

**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 parking area, main haul road and access roads around the main facilities area were well maintained and were being watered during the inspection.

**REVEGETATION – Rule 4.15 □ Vegetative Cover; Timing:**

Two wildflowers of special note were growing on the II West Refuse pile: stemless evening primrose (*Oenothera caespitosa*) (photo 8) and Palmer penstemon (*Penstemon palmeri*).

**SIGNS AND MARKERS – Rule 4.02:**

The topsoil sign was in place on the Elk Creek Fan topsoil pile (photo 9). The main entrance sign had all the required information.

**TOPSOIL – Rule 4.06 □ Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:**

The Elk Creek fan topsoil stockpile was well vegetated. No rills or gullies were noted (photo 9).

**DOCUMENTS RECEIVED: None**

Number of Partial Inspection this Fiscal Year: 11

Number of Complete Inspections this Fiscal Year: 4

**ENFORCEMENT ACTIONS/COMPLIANCE**

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

**PHOTOGRAPHS**

Photo 1 - Sanborn Creek Portals



Photo 2 - Pond D



Photo 3 - Pipe in Ditch D-6



Photo 4 - Coal Waste Being Spread Into a Lift



Photo 5 - Removing Soil From Hillside



Photo 6 - II West Refuse Pile Lower Access Road

Number of Partial Inspection this Fiscal Year: 11

Number of Complete Inspections this Fiscal Year: 4





Photo 7 – Underdrain Construction



Photo 8 - *Oenothera caespitosa*



Photo 9 – Elk Creek Fan Topsoil Pile

Number of Partial Inspection this Fiscal Year: 11

Number of Complete Inspections this Fiscal Year: 4