




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: August 6, 2013 Inspection Start Time: 08:30 Inspection End Date: August 6, 2013 Inspection End Time: 15:00		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): Brock F. Bowles	Inspector's Signature:  Signature Date: August 9, 2013		

Inspection Topic Summary

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

R - Air Resource Protection**R** - 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**N** - Processing Waste**R** - Roads**N** - Reclamation Success**N** - Revegetation**N** - Subsidence**N** - Slides and Other Damage**N** - 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 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 sunny, warm with no wind. Thunderstorms passed north of the mine area. According to Mr. Kiger, the North Fork Valley received a significant amount of rain in the last week. There was standing water in some locations. The northeast mine workings are still sealed as a result of the spontaneous combustion event that occurred in January of this year. The seals are expected to be opened in the next week. Several nitrogen generators at the Elk Creek and Bear Creek fansites are pumping N into the mine workings. The mine atmosphere was being monitored through wells that were approved in MR-104.

AIR RESOURCE PROTECTION – Rule 4.17:

Coal was not being stacked and no equipment was on the coal stock pile. A water truck was spraying the roads. There were no signs of fugitive dust on site or off.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

All files were available for review at the OMLLC office. See attached availability of records checklist. The latest revisions still under review are available for the public at the Paonia Library.

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 Sanborn Creek Mine Portal area 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.

Number of Partial Inspection this Fiscal Year: 1

Number of Complete Inspections this Fiscal Year: 1

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 A, B and D all contained water but none were discharging. Ponds C and E (photo 1) were dry. According to Mr. Kiger, all the ponds were cleaned two weeks ago, before the heavy rains. The pond cleanings are currently staged in the East Yard Pond for drying. The East Yard Pond is full and the pond cleanings need to be moved to the refuse pile as soon as possible. The ditch along the West Valley Haul road was free and clear of obstructions, the sumps were recently cleaned and straw bales were in good condition.

Ditch D3 (below the portals, west side of haul road) has an excessive amount of debris in it (photo 2). This debris needs to be removed. The west ditch of the II West Refuse pile is not well defined in the area of the first bench (photo 3). Water has the potential to run down the face of the spoil pile. The ditch channel needs to be re-established to direct water flow to the lower segment of the rock-lined ditch which is already in place.

The water level in the north mine workings is down to normal levels. Only one de-water well pump (approved MR-104 and -105) is needed at the present time to maintain the mine water level. Water is being pumped through outfall 015B at a rate of 120 gpm. It is expected that once access to the mine workings is achieved, the underground mine pumps will resume pumping water to the B-seam and the surface pumps (outfall 015B) will no longer be needed. The vegetation around the temporary external outfall 015B is dead (photo 4). The rocks and straw waddles at the outfall 015B discharge are stained red (photo 5). The latest DMR submitted to the Division (6/30/2013) reports the iron 30 day average to be 860 ug/l which is below the 1000 ug/l limit of the permit. The area below outfall 015B will be inspected once the mine water discharge is terminated. At that time, Oxbow, LLC and the Division will determine if any reclamation work is needed to repair the area.

Sediment control structures are in place around the pad for the de-water wells and monitoring wells approved in MR-104 and MR-105 (de-water holes #1 and #2, TGA, HGA, HGTMP, TGBMPA and 5B).

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 and access roads around the main facilities area are well maintained. The temporary road leading to the de-water holes approved in MR-104 and -105, is in good condition. A pipe is in place for drainage where the road crosses Elk Creek. Trees felled for the road construction were laid in corduroy fashion with soil over the pipe for vehicle access (photo 6). There was no water flow in this part of Elk Creek. The water seen in the picture is residual from the latest rain.

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 topsoil was salvaged and labeled on all the well pads and monitoring wells approved in MR-104 and MR-105 (de-water holes #1 and #2, TGA, HGA, HGTMP, TGBMPA and 5B).

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DOCUMENTS RECEIVED: None

ENFORCEMENT ACTIONS/COMPLIANCE

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

PHOTOGRAPHS



Photo 1 – Pond E



Photo 2 – Ditch D3 Needs to be Cleaned



Photo 3 – West Ditch of II West Refuse Pile



Photo 4 – Dead Oak Trees by Outfall 015B

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Photo 5 – Outfall 015B Discharge Point



Photo 6 – Elk Creek Crossing for Temp Road

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	X-2013 ¹
Permit Application w/Revisions	X
Findings Document	X – RN-5
Insurance Certificate	X – 6/2014
Bond Document	X – 6/2011
Phased Bond Release	
Documents/Findings	
Air Emission Permits	
County Special Use Permits	X
UG Mining Landowner Notification	X
Subsidence Monitoring Reports	X – 2012
Subsidence Monitoring Data	X
Rill & Gully Survey	X
Vegetation Monitoring Data	
Specific Variance Approvals	X
Annual Reclamation Reports	X – 2012
Midterm Review Documents	X
DRMS/OSM Inspection	X – 7/2013
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	X
Temporary Cessation Notification	
Reclamation Cost Estimate	X – RN-5
CERTIFICATIONS	
Pond Certifications	X
Annual Certifications for Impoundments	
Fill Certifications for Excess Spoil or Underground Development Waste	X
• Quarterly Inspections	X
• Compaction Testing	X – 6/2013
• Final Certification	
Coal Processing Waste Banks	
Haul Road Certifications	X
Access Road Certifications	X

HYDROLOGIC RECORDS

NPDES Permit	X-2009 ²
NPDES Records	X
Stormwater Management Plan	X
SPCC Plan	X
MSHA Pond Inspections	
State Engineer's Pond Inspection	
Quarterly Pond Inspections	X
Annual Hydrology Reports	X – 2012
• Ground Water Monitoring	X
• Surface Water Monitoring	X
• Spring & Seep Monitoring	X
• Mine Water Discharge Monitoring	X
• Mine Inflow Study	X
• Water Consumption Records	X
Well Permits	X

BLASTING RECORDS

Blasting Publication	
Blasting Records (3 years)	
ATFE Explosives Permit	X
Blasting Variances	
Pre-Blast Surveys	

**ADDITIONAL RECORDS
(specify)**

COMMENTS: ¹A permit renewal application has been submitted to the Division and the application is currently under review. ²WQCD permit CO-0000132-extension June 1, 2009; permit COG850064-extension July 1, 2013.

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