



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



PERMIT INFORMATION

Permit Number: C-1981-033 Mine Name: Bear Mine Operator: Bear Coal Company, Inc. Operator Address: Mr Daniel Bear 1326 War Emblem Lane Rock Springs, WY 82901	County: Gunnison Operation Type: Underground Permit Status: Revoked Ownership: Federal
	Operator Representative Present: None - Revoked Permit
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: October 2, 2013 Inspection Start Time: 15:44 Inspection End Date: October 2, 2013 Inspection End Time: 16:30	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): Susan L. Burgmaier	Inspector's Signature: <i>Susan Burgmaier</i> Signature Date: 10/08/2013

Inspection Topic Summary

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

NA - Air Resource Protection

NA - Availability of Records

R - Backfill & Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

R - Fish & Wildlife

R - Hydrologic Balance

NA - Gen. Compliance With Mine Plan

NA - Other

NA - Processing Waste

R - Roads

Y - Reclamation Success

Y - Revegetation

Y - Subsidence

Y - Slides and Other Damage

Y - Support Facilities On-site

Y - Signs and Markers

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

Y - Topsoil

COMMENTS

This was a complete inspection of the Bear No. 3 Mine conducted by Susan Burgmaier of DRMS. Weather conditions at the time of the inspection were sunny and warm; ground conditions were dry. The permit for this operation has been revoked by DRMS, and the site will be reclaimed by a third party under the direction of DRMS. Reclamation work is scheduled to begin in the summer of 2014.

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 backfilled and regraded portal slopes appeared to be stable, but there is a concrete support structure that had been buried during reclamation that is protruding from the backfilled slope. It appears that the material around the structure is settling; the structure is protruding more at each monthly inspection.

FISH and WILDLIFE – Rule 4.18:

There was a small bull snake in the reclaimed facilities yard.

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 sedimentation pond was dry. The treatment pond held water, and the portal spring was flowing to the North Fork of the Gunnison River via the treatment pond.

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 access road into the site was in good condition. The bridge remains in poor condition, with rotting decking boards and eroding bank abutments. DRMS is currently working to place jersey barriers on the west end

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 2

of the bridge to prevent vehicular traffic.

ENFORCEMENT ACTIONS/COMPLIANCE

Infraction Number: CO2013001

Inspection Date: January 9, 2013

Date Issued: January 11, 2013

Primary Topic: Administrative

Secondary Topic: Gen. Compliance With Mine Plan

Tertiary Topic:

Description: Failure to abate NOV CV-2012-009, parts A) and B), on or before December 31, 2012.

A) Bear Coal Company, Inc., failed to obtain a valid permit as required by 34-33-101 et seq, the "Colorado Coal Mining Reclamation Act," the applicable regulations, and its Permit though it is under an ongoing obligation to complete reclamation of the mine site. Bear Coal Company, Inc. was previously issued Permit No. C-1981-033, which expired on July 19, 2012, and reclamation has not been completed.

B) Bear Coal Company, Inc., failed to complete reclamation in compliance with the terms of its Permit, the Act, and the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining. Bear Coal Company, Inc., has not: completed final ditch and pond reclamation; established a diverse, effective and permanent vegetative cover; or assumed responsibility for successful revegetation.

Abatement #: 1

Abatement Due Date: 1/25/2013

Abatement Due Extended Date:

Abatement Description: A) Submit a complete permit application to the Division to obtain a valid permit for the completion of reclamation at the mine site under the provisions of 34-33-101 et seq.

Infraction Number: CV2012009

Inspection Date: November 30, 2012

Date Issued: December 17, 2012

Primary Topic: Administrative

Secondary Topic: Gen. Compliance With Mine Plan

Tertiary Topic:

Description: A) Bear Coal Company, Inc., failed to obtain a valid permit as required by 34-33-101 et seq, the "Colorado Coal Mining Reclamation Act," the applicable regulations, and its Permit though it is under an ongoing obligation to complete reclamation of the mine site. Bear Coal Company, Inc. was previously issued Permit No. C-1981-033, which expired on July 19, 2012 and reclamation has not been completed.

B) Bear Coal Company, Inc., failed to complete reclamation in compliance with the terms of its Permit, the Act, and the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining. Bear Coal Company, Inc., has not: completed final ditch and pond reclamation; established a diverse, effective and permanent vegetative cover; or assumed responsibility for successful revegetation.

Abatement #: 1

Abatement Due Date: 12/31/2012

Number of Partial Inspection this Fiscal Year: 3Number of Complete Inspections this Fiscal Year: 2

Abatement Due Extended Date:

Abatement Description: A) Submit a complete permit application to the Division to obtain a valid permit for the completion of reclamation at the mine site under the provisions of 34-33-101 et seq.

PHOTOGRAPHS



Sediment Pond



Treatment Pond

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Concrete abutment in portal backfill area



Backfilled and regraded portal faceup and slide area

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