



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: NA - Revoked Permit/Bond Forfeiture	
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: November 6, 2013 Inspection Start Time: 13:00 Inspection End Date: November 6, 2013 Inspection End Time: 13:45	Inspection Type: Coal Partial 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: 11/12/13

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

N - Fish & Wildlife

R - Hydrologic Balance

NA - Gen. Compliance With Mine Plan

R - Other

NA - 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

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

N - Topsoil

COMMENTS

This was a partial inspection of the Bear Mine conducted by Susan Burgmaier of the Colorado Division of Reclamation, Mining and Safety. Weather conditions at the time of the inspection were sunny and around 40 degrees; ground conditions were muddy with about an inch of snow in shady and north facing areas. The permit for this site has been revoked and the performance bond forfeited.

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:

No evidence of settling or recent movement in the backfilled and regraded portal slope was observed.

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. The portal spring was flowing into the treatment pond, which was full, and discharging to the North Fork of the Gunnison River.

OTHER (SPECIFY):

The underground mine fire was burning, as evidenced by two plumes of smoke rising above the portal slide scarp.

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 over the North Fork was in very poor condition, and has deteriorated significantly since the last Division inspection on October 2, 2013. The decking of the bridge is rotting and has exposed several holes, and the abutment material is eroding away between the bridge and the river banks. The AML program of DRMS has placed jersey barriers on the west side of the bridge to

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

prevent vehicular traffic over the bridge.

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

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

Abatement Due Date: 12/31/2012

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



Treatment Pond



Sediment Pond



Regraded portal slope



East side of access bridge

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