



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

May 7, 2014

William A. Bear  
Bowie Resources, LLC  
P.O. Box 483  
Paonia, CO 81428

**Re:   Bowie No. 2 Mine (Permit No. C-1996-083)  
      Proposed Decision - Technical Revision No. 77 (TR-77)  
      Overburden Material as a Topsoil Substitute/Supplement**

Dear Mr. Bear:

Enclosed you will find the Division of Reclamation, Mining and Safety's Proposed Decision for Technical Revision No. 77 at the Bowie No. 2 Mine. Notice of the proposed decision will be published in the *Delta County Independent* as soon as possible. The first publication will initiate the ten (10) day public comment period for the Division's decision.

Documentation must be submitted to the Division demonstrating that a copy of the approved revision application was sent to the Office of Surface Mining and the Bureau of Land Management. The material should be sent within 15 days of final approval.

Please refer to the Performance Bond heading on the enclosed proposed decision form. If the amount of Bond Held equals or exceeds the Revised Liability, you need not submit additional bond. However, if the Revised Liability exceeds the Bond Held, please submit additional bond or rider to your existing bond that equals or exceeds the Revised Liability. This Technical Revision must not be implemented until this proposed decision becomes final and until any required increase in bond is submitted to and approved by the Division.



If there are stipulations attached, please sign and return the proposed decision form to the Division.

If you have any questions, please contact me.

Sincerely,



Susan L. Burgmaier  
Environmental Protection Specialist  
Susan.burgmaier@state.co.us

Enclosure

cc: Alan Boehms, Office of Surface Mining, with enclosures  
James Stover, J.E. Stover & Associates  
Tammerin Stover-Bishop, J.E. Stover & Associates



## COAL MINING PERMIT - TECHNICAL REVISION DECISION

Bowie No. 2 Mine, Bowie Resources, LLC  
Permit No. C-1996-083

The Division of Reclamation, Mining and Safety has proposed the decision stated below. Provided there are no objections, the decision will become effective upon the termination of the ten (10) day public comment period, in accordance with Rule 2.08.4(6)(b)(iii).

Technical Revision No. 77

Decision: Approve with conditions

Submittal Date: March 18, 2013

Decision Date: May 7, 2014

Description of Revision: Overburden Material as a Topsoil Substitute/Supplement

*Stipulation(s) attached; Provide authorized signature and return the form to the Division*

DIVISION OF RECLAMATION, MINING AND SAFETY PERMITTEE

*Andrew L. Brown*

Authorized Representative - Division

Authorized Representative - Permittee (if applicable)

Date: May 7, 2014

Date:

CHANGE IN ACREAGE		REVISED TOTAL ACREAGE		PERFORMANCE BOND	
Disturbed:	0.00	Disturbed:	392.64	Prior Liability:	\$11,156,139.41
Affected:	0.00	Affected:	5,781.60	Change in Liability:	\$107,857.68
Permit:	0.00	Permit:	9,196.50	Revised Liability:	\$11,263,997.09
State:	0.00	State:	0.00	Bond Held:	\$11,169,730.57
Federal:	0.00	Federal:	3,831.60		
Private:	0.00	Private:	5,364.90		
County:	0.00	County:	0.00		

### REVISED APPLICATION PAGES

Volume I: Reclamation Cost Estimate; Volume III, Exhibit 7: Coverfill Material Sample Data; Volume IX: pages 4a, 7, 15, and 16 and Appendix A page App. A-1; Volume XI, pages 2, 4, and 10 and Appendix A page App. A

### REVISED MAPS

Volume II: Map 32

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DELETED APPLICATION PAGES

None

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DELETED MAPS

None

**Bowie No. 2 Mine (Permit No. C1996083) Technical Revision No. 77**

**Stipulations**

34 - Within 45 days of issuance of TR-77, BRL must submit a technical revision to address the following for proposed Borrow Areas #1, #2, and #3 at Gob Pile #2:

- a. A topsoil salvage, storage, and redistribution plan, in accordance with Rules 2.05.3(5), 2.05.4(2)(d) and 4.06.4(2);
- b. A regrading plan in accordance with Rules 4.14.1 and 4.14.2;
- c. A revegetation plan in accordance with Rule 4.15;
- d. A sediment control plan in accordance with Rules 2.05.3.(4), 2.05.6(3), 4.05.1, and 4.05.2;
- e. Revised map(s) in accordance with Rule 2.10.3, clearly indicating the areas proposed for disturbance;
- f. A reclamation plan and cost estimate in accordance with Rule 2.05.4; and
- g. A commitment from BRL that materials excavated from any borrow area will be direct hauled for the purpose of covering refuse material, and will not be incorporated into the refuse material, such as for drying purposes.

35 - Commencing with issuance of TR-77, BRL must conduct a survey to determine the volume of coverfill material in the stockpiles associated with Gob Piles #1, #2, #3, and #4 on at least a quarterly basis. A report summarizing the survey shall be submitted within 30 days of the survey, and must include a statement of whether the volume of available material is sufficient to meet the requirements of Rule 4.10.4(5) and the material balance in the currently approved permit application package.