



STATE OF  
COLORADO

Musick - DNR, Jason <jason.musick@state.co.us>

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## Bowie No. 2 Mine, C-1996-083, RN-4 Preliminary Adequacy Review Letter

1 message

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**Musick - DNR, Jason** <jason.musick@state.co.us>

Thu, Sep 29, 2016 at 10:59 AM

To: Bill Bear <BBear@bowieresources.com>

Cc: Jim Stover <jestover@bresnan.net>, Tamme Bishop <tamme.jestover@bresnan.net>

Good Morning Bill,

Attached is the Division's preliminary adequacy review letter associated with RN-4 of the Bowie No. 2 Mine.

Please let me know if you have any questions or comments.

Thanks,  
Jason

Jason Musick  
Environmental Protection Specialist III  
Coal Regulatory Program



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## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

September 29, 2016

Bill Bear  
Bowie Resources, LLC  
P.O. Box 1488  
Paonia, CO 81428

RE: Bowie No. 2 Mine, Permit No. C-1996-083  
Permit Renewal Application No. 4 (RN-4)  
Preliminary Adequacy Review

Dear Mr. Bear,

The Division received Bowie Resources, LLC's (BRL's) application for a permit renewal (RN-4) on July 25, 2016. The application was determined to be complete on August 3, 2016. No concerns have been received from other agencies regarding this proposed permit renewal as of the date of this letter. The Colorado Division of Reclamation, Mining, and Safety has completed its preliminary adequacy review of the proposed permit renewal. Please respond to the following comments or concerns as necessary:

1. During the Division's review of the ownership and control section of the currently approved permit application package for the Bowie No. 2 Mine, comparing the section with the current information in the Applicant Violator System (AVS), the Division understands that at the time of this RN-4 review Minor Revision No. 187 (MR-187) for the Bowie No. 2 Mine is currently on-going. A decision date for MR-187 is October 31, 2016. Any changes to ownership and control information based on MR-187 will be associated with this RN-4. **If any information concerning ownership and control has changed and that has not been addressed in MR-187, please provide the information as a response to this adequacy letter.**
2. Approved page 2.03-15 identifies Federal coal lease COC-75916 as a basis on which right-to-enter is granted. The Division understands that based on a May 2016 court decision, the Decision Record for COC-75916 was set aside and further action was remanded. Based on this information, **please revise the right of entry information to exclude COC-75916 or revise the information within the permit to discuss the current and future status of right to entry information concerning the area previously covered under COC-75916.**
3. Approved page 2.03-17 identifies the Federal coal lease COC-75916 and approximately 7,048 acres to be affected by mining. Based on the Division's review and the information presented in

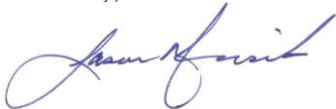


comment #2 above, please revise the information within the permit to discuss the current and future status of right to entry information concerning the area previously covered under COC-75916.

4. Approved page 2.03-19 identifies permits that may have expired or are no longer applicable to the Bowie No. 2 Mine. **Please provide any updates to the section per Rule 2.03.10 to include all active permits associated with operations at the Bowie No. 2 Mine.**
5. Per Rules 2.04.11(4) and 2.05.6(2), please provide updates to the T&E species information and discuss potential impacts to current state and Federal threatened and endangered plant and animal species lists. The Federal and state listed species on concern may have been updated since the last revision.
6. Page 2.05-62 provides an estimate of GOB provided through 4/4/2017. The Division understands that the Bowie No. 2 Mine is currently in Temporary Cessation and the amount of GOB over the next 5-year permit term has changed. **Please provide an update as to the amount of coal processing waste to be generated to reflect the next 5-year mine term.**
7. During the Bond Release No. 1 decision process, the Division generated a Reclamation Cost Estimate (RCE) for all remaining permitted activities associated with the Bowie No. 2 Mine. Although this estimate was generated during the 2016 cost updated year, some equipment and labor costs may have changed. As such, the Division will generate a new site-wide RCE based on the most recent updated costs and will include any revisions which may have adjusted the RCE since the SL-1 RCE was completed. Technical Revision No. 108 is a bond reduction TR and is currently under review by the Division.

If you have any questions or comments feel free to contact me. (303) 866-3567 ext 8134

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Musick", with a stylized flourish at the end.

Jason Musick  
Environmental Protection Specialist  
Jason.musick@sate.co.us