



**PERMIT INFORMATION**

<b>Permit Number:</b> C-1996-083 <b>Mine Name:</b> Bowie No. 2 Mine <b>Operator:</b> Bowie Resources, LLC <b>Operator Address:</b> Mr. Basil Bear P.O. Box 1488 Paonia, CO 81428	<b>County:</b> Delta <b>Operation Type:</b> Underground <b>Permit Status:</b> Active <b>Ownership:</b> Private
	<b>Operator Representative Present:</b>  Basil Bear
<b>Operator Representative Signature:</b> (Field Issuance Only)	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> March 8, 2023 <b>Inspection Start Time:</b> 08:15 <b>Inspection End Date:</b> March 8, 2023 <b>Inspection End Time:</b> 11:30	<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Cloudy
<b>Joint Inspection Agency:</b>  None	<b>Joint Inspection Contacts:</b>
<b>Post Inspection Agency:</b>  None	<b>Post Inspection Contacts:</b>
<b>Inspector(s):</b>  Robert Zuber, P.E.	<b>Inspector's Signature:</b>  <i>Robert D. Zuber</i>  <b>Signature Date:</b>  3/9/2023

**Inspection Topic Summary**

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

Y - Air Resource Protection

R - Availability of Records

Y - Backfill &amp; Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

R - Fish &amp; Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

R - Other

R - Processing Waste

R - Roads

Y - Reclamation Success

Y - Revegetation

Y - Subsidence

R - Slides and Other Damage

R - Support Facilities On-site

Y - Signs and Markers

R - Support Facilities Not On-site

Y - Special Categories Of Mining

R - Topsoil

**COMMENTS**

A complete inspection was conducted by Rob Zuber of DRMS on March 8, 2023. Parts of the site were not accessed due to snow-covered roads, including gob piles and the Hubbard Creek facilities. However, these areas were viewed from afar.

Basil Bear was with the inspector at the D Portal bench. Also, he was in the office during the records review and for a post-inspection discussion.

BRL has recently worked on repairing a cave in above the portal on the D Portal bench. The cave in was between the opening and the seal, and is further discussed in the Slides and Other Damage section.

Basil Bear showed the inspector a recent drone video of the area around Gob Pile #2. It did not reveal any problems with the pile or nearby ditches

The weather was cloudy and cool. The ground was mostly covered with snow.

**AVAILABILITY OF RECORDS – Rule 5.02.4(1):**

The records were found to be very well organized and complete. Please see the Availability of Records form in this report.

**FISH and WILDLIFE – Rule 4.18:**

Many turkeys and deer were seen onsite. A coyote was seen at Pond K.

Number of Partial Inspection this Fiscal Year: 4

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**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:

Four sediment ponds were inspected: B, F, J, and K. None of the ponds were discharging. All of the ponds contained water, ice and snow, but it was well below spillways. No significant problems were identified with embankments, spillways, inlet channels, or other features of the ponds.

Ponds C and D were not inspected, but the area directly below these ponds (near the old power plant) was inspected, and no signs of problems with Ponds C and D were identified.

Based on review of Basil Bear's drone video, the ditches and erosion control practices on Gob Pile #2 are functioning well.

**OTHER (SPECIFY):**

An old demolished fuel tank was seen on the D Portal Bench, and this waste needs to be hauled away to a proper facility. Basil Bear indicated that it will likely be taken to a scrap metal facility in Montrose, CO.

**PROCESSING WASTE/COAL MINE WASTE PILES – Rule 4.10 and 4.11**

Drainage Control; Surface Stabilization; Placement:

From afar, the gob piles appeared stable.

**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 road to the portals, and the slopes adjacent to the roads, were in good condition.

**SLIDES and DAMAGE - Rule 4.12:**

It appears that slumps by the B Portal and by Curve Number 11 along the Haul Road have not moved significantly in the recent past.

A cave in above the D portal (Bowie II portal) occurred around February 25, 2023, and appeared to be external to the seal. Repairs were performed on February 28, per correspondence with Tamme Bishop of Stover and Associates (email March 1, 2023). This area had not been reclaimed other than temporary seeding for stabilization. The hole on the surface was approximately a circle with a diameter of 16 to 20 feet, per Basil Bear and the photograph from Tamme Bishop. Thus, the approximate surface area of the cave in was 200 - 300 square feet.

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BRL staff used material from an unreclaimed area of the D Portal Bench to fill the hole. Basil Bear estimated that his crew used approximately 150 cubic yards, and they will add more material as the area settles.

Basil also indicated that data from the operators of the flare at the Utility Bench (Hubbard Creek Coal Gas LLC) suggests that the cave in was external to the seal.

#### SUPPORT FACILITIES - Rule 4.04:

The following areas appeared stable with no signs of erosion:

- Utility Bench
- D Portal bench (with exception of cave in area)
- B Portal bench
- Material storage area beside Topsoil Stockpile A
- Conveyor corridors
- Slopes above and below the Coal Stockpile Pad
- The area around the office
- The Preparation Plant and nearby water tank
- Pump House and Filter Building
- Old power plant
- Storage area west of Pond D
- The Unit Train Loadout.

#### OFFSITE SUPPORT FACILITIES - Rule 4.04, 4.28:

The Hubbard Creek facilities (Vent Shaft pad and Rock Laydown area) were not accessed due to safety concerns (rocks and snow on road).

#### TOPSOIL – Rule 4.06

Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4:

No erosion or other problems were seen with topsoil stockpiles or coverfill piles, although snow precluded a close inspection of these piles.

**DOCUMENTS RECEIVED - none**

**OTHER (SPECIFY) - none**

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### **ENFORCEMENT ACTIONS/COMPLIANCE**

No enforcement actions were initiated as a result of this inspection, nor are any pending.

### **PHOTOGRAPHS**



**Road to portals, with slope above Curve 8 in the center of photo**

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**D Portal (Bowie II Portal) where cave in occurred above**

*Access area to cave in*



**D Portal – cave in area is circled**

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**B Portal entrance tunnel**



**B Portal slope on southwest side**

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**Lower portion of Gob Pile #2**



**Pond F inlet channel, with soil pile on the right**

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**Pond J embankment**



**Outslope of Gob Pile #3**

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**AVAILABILITY OF RECORDS****PERMIT RECORDS**

DRMS Permit	Exp. 4 April 2027
Permit Application w/Revisions	yes
Findings Document	RN-05, 12 January 2023
Insurance Certificate	Expires 1 May 2023
Bond Documents	<b>SEE COMMENT 1</b>
Phased Bond Release Documents/Findings	SL2, 30 Decmbr. 2016
Air Emission Permits	98DL0726 Exp. 2024
County Special Use Permits	NA
UG Mining Landowner Notification	Several years
Subsidence Monitoring Reports	NA
Subsidence Monitoring Data	NA
Rill & Gully Survey	March 1, 2022
Vegetation Monitoring Data	NA
Specific Variance Approvals	NA
Annual Reclamation Reports	2022
Midterm Review Documents	MT5, 3 October 2019
DRMS/OSM Inspection Reports/Enforcement Actions	Through January 2023
Transfers/Succession of Operator	10 August 2009
Temporary Cessation Notification	NA
Reclamation Cost Estimate	<b>SEE COMMENT 2</b>

**CERTIFICATIONS**

Pond Certifications	2Q 2022
Fill Certifications for Underground Development Waste	Vol. IV for Gob Pile #1
• Quarterly Inspections	4Q 2022
• Compaction Testing	October 2022
• Final Certification	NA
Certs. for Coal Processing Waste Banks	Vols IX, XI (Gob Piles 2, 3, 4)
Haul Road Certifications	1998 and 2013
Access Road Certifications	Map 15 series

**HYDROLOGIC RECORDS**

NPDES Permit	CO-0044776, Exp.Sept. 2024
NPDES Records (DMRs)	Through February 2023
Stormwater Management Plan	Revised January 2020
SPCC Plan	May 2013
MSHA Pond Inspections	NA
State Engineer's Pond Inspection	NA
Quarterly Pond Inspections	4Q 2022
Annual Hydrology Reports	2021
• Ground Water Monitoring	yes
• Surface Water Monitoring	yes
• Spring & Seep Monitoring	NA
• Mine Water Discharge Monitoring	NA
• Mine Inflow Study	NA
• Water Consumption Records	NA
Well Permits	NA

**BLASTING RECORDS**

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

**ADDITIONAL RECORDS  
(specify)**

SWMP Report	February 2023

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**COMMENTS:**

1. Bond documents entail five corporate sureties (Lexon Company) for total of \$11,448,977.58:
  - Bond # 1071397 for \$3,154,277.10
  - Bond # 1071402 for \$1,502,277.97
  - Bond # 1071403 for \$2,500,000.00
  - Bond # 1071404 for \$2,217,169.51
  - Bond # 1071405 for \$2,075,253.00.
  
2. **The RCE from RN-05 (total of \$11,448,977) should be included in the records.**

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