



STATE OF
COLORADO

Zuber - DNR, Rob <rob.zuber@state.co.us>

Bowie #1 inspection report

1 message

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Thu, Dec 7, 2023 at 6:24 PM

To: Basil Bear <basilbear@wolverinefuels.com>, Tamme Bishop <tammekb@gmail.com>

Hi, Basil -

Please see the attached report from my inspection yesterday.

Rob

Rob Zuber, P.E.
Environmental Protection Specialist
Active Mines Regulatory Program



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

I am working remotely and can be reached by cell at 720.601.2276.

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INSP-REPORTC_C1981038_RDZ_12072023.pdf
1150K



PERMIT INFORMATION

Permit Number: C-1981-038 Mine Name: Bowie No. 1 Mine Operator: Bowie Resources, LLC Operator Address: Mr. Basil R Bear P.O. Box 1488 Paonia, CO 81428	County: Delta Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: None
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: December 6, 2023 Inspection Start Time: 10:45 Inspection End Date: December 6, 2023 Inspection End Time: 13:45		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): Robert Zuber, P.E.	Inspector's Signature: 		Signature Date: 12/7/2023

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 & Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

Y - Fish & Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

NA - Processing Waste

R - Roads

R - Reclamation Success

Y - Revegetation

Y - Subsidence

Y - Slides and Other Damage

NA - Support Facilities On-site

Y - Signs and Markers

R - Support Facilities Not On-site

Y - Special Categories Of Mining

Y - Topsoil

COMMENTS

A complete inspection was conducted by Rob Zuber of DRMS on December 6, 2023. Basil Bear of Bowie Resources Limited (BRL) was in the office for discussions beforehand but did not participate in the inspection.

No mining or reclamation activities were being conducted at this site. BRL is focusing on Bowie No. 2 in 2023. Mr. Bear indicated that he plans to work on reclamation at the West Mine in 2024.

The weather was warm for December and clear. The ground was partially covered with snow, and much of the site was muddy.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The records were found to be well organized and complete. It was unclear if the most recent subsidence report was missing. This should be updated, as necessary. Please see the list of records included in this report.

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 ponds at the loadout, the Coal Storage Area (near Black Bridge Road), and the West Mine were empty of water or close to empty, and no problems were identified with these ponds.

The irrigation ditch that flows under the loadout (the Farmers Ditch) was empty of water. No issues were identified with this ditch and the loadout area.

Number of Partial Inspection this Fiscal Year: 4

Number of Complete Inspections this Fiscal Year: 2

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):

No problems were seen with the road to the reclaimed ROM area.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

No erosion was seen at the reclaimed areas of the East Mine, including the drainage where the reclaimed ponds (Ponds 1 – 4) are located.

OFFSITE SUPPORT FACILITIES - Rule 4.04, 4.28:

No erosion or other problems were seen with the Coal Storage Area by Black Bridge Road.

No erosion was seen at the loadout, including the steep slope between the loadout and the orchard below. The trestle across the river appears stable.

DOCUMENTS RECEIVED - none

OTHER (SPECIFY) - none

ENFORCEMENT ACTIONS/COMPLIANCE

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

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PHOTOGRAPHS



East side of slope below the loadout with bridge in background



West side of slope below the loadout

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West Mine from Johnson Road



Straw bales at reclaimed Pond 4, below the East Mine

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AVAILABILITY OF RECORDS

PERMIT RECORDS		HYDROLOGIC RECORDS	
DRMS Permit	Expires 4/20/2028	NPDES Permit	CO-0049045 Exp. 2025
Permit Application w/Revisions	On shelf	NPDES Records (DMRs)	Thru November 2023
Findings Document	RN8 findings 7/27/2023	Stormwater Management Plan	Aug. 2018
Insurance Certificate	Exp. 5/1/2024	SPCC Plan	No longer valid
Bond Document	SEE COMMENT 1	MSHA Pond Inspections	NA
Phased Bond Release	SL8 findings		NA
Documents/Findings	11/23/2022	State Engineer's Pond Inspection	
Air Emission Permits	NA	Quarterly Pond Inspections	Thru 3Q 2023
County Special Use Permits	NA	Annual Hydrology Reports	2022
UG Mining Landowner Notification	1993 and 1994	• Ground Water Monitoring	2022 AHR
Subsidence Monitoring Reports	NA	• Surface Water Monitoring	2022 AHR
Subsidence Monitoring Data	NA	• Spring & Seep Monitoring	2022 AHR
Rill & Gully Survey	May 2023	• Mine Water Discharge Monitoring	NA
Vegetation Monitoring Data		• Mine Inflow Study	NA
Specific Variance Approvals	2.06.1(3) Steep Slope	• Water Consumption Records	NA
Annual Reclamation Reports	2022	Well Permits	NA
Midterm Review Documents	MT8 10/13/2020		
DRMS/OSM Inspection	Thru		
Reports/Enforcement Actions (3 Years)	November 2023	BLASTING RECORDS	NA
Transfers/Succession of Operator	7/29/2009		
Temporary Cessation Notification	NA		
Reclamation Cost Estimate	SEE COMMENT 2		
CERTIFICATIONS			
Pond Certifications	W-1 and W-2 (2002)	ADDITIONAL RECORDS	
Annual Certifications for Large Impoundments	NA	CDOT Access Permit	Permit #399055 (June 1999)
Fill Certifications for Excess Spoil or Underground Development Waste	Yes 2/4/1987	Annual Subsidence Report	2021 ARR (missing from 2022 ARR)
• Quarterly Inspections	NA		
• Compaction Testing	NA		
• Final Certification	NA		
Coal Processing Waste Banks	NA		
Haul Road Certifications	Yes, several years		
Access Road Certifications	Yes, PAP Vol. 8A		

COMMENTS:

1. Two instruments with Lexon Insurance Co.: \$2,500,000 + \$268,916 = \$2,768,916.
2. The cost estimate of \$1,639,674 (from MT8) does not match liability. This is explained in SL-06 findings.

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