



STATE OF  
COLORADO

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

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## Bowie #2 report

1 message

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

Fri, Mar 22, 2024 at 3:27 PM

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

Please see the attached report from my inspection on Wednesday.

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\_C1996083\_RDZ\_03222024.pdf**  
1980K



**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: (Field Issuance Only)</b>  	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> March 20, 2024 <b>Inspection Start Time:</b> 07:00 <b>Inspection End Date:</b> March 20, 2024 <b>Inspection End Time:</b> 10:00		<b>Inspection Type:</b> Coal Complete Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear	
<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>  		<b>Signature Date:</b>  3/22/2024

**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

R - Fish & Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

R - Roads

Y - Reclamation Success

Y - Revegetation

Y - Subsidence

R - Slides and Other Damage

R - Support Facilities On-site

R - Signs and Markers

Y - 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 20, 2024.

A pre-inspection meeting was held with Basil Bear in his office. Mr. Bear stated that BRL's surveyor is still working on the survey for Gob Pile #3. He anticipates that the work spreading the coverfill should be done by mid-summer this year. The topsoil work will be done after that, and seeding will likely be done in October. He anticipates that the work on Gob Pile #2 in 2024 will entail moving a pile of refuse from the Coal Stockpile Pad and moving some coverfill from the pile next to Gob Pile #3. BRL is still observing the slide above Curve 10 along the Haul Road. Mr. Bear indicated that the temporary culvert below that slide is working well.

Mr. Bear was not present during the field portion of the inspection.

The weather was clear and warm for March. The ground was mostly dry.

**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:**

Deer were seen on Gob Pile #4.

Number of Partial Inspection this Fiscal Year: 5

Number of Complete Inspections this Fiscal Year: 3

**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:

Six sediment ponds were inspected: B, C, D, F, J, and K. None of the ponds were close to discharging. Most of the ponds were dry or almost dry, but Pond F contained significant water. The bottom of Pond J is obscured by cattails; no water was seen. No significant problems were identified with embankments, spillways, inlet channels, or other features of the ponds.

No problems with ditches were identified.

The Fire Mountain Canal was not flowing and contained little or no water in most locations. Some water, likely from snowmelt runoff, was seen at some locations.

**GENERAL MINE PLAN COMPLIANCE:**

No pollutant loading or other impacts on adjacent lands were identified.

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

Drainage Control; Surface Stabilization; Placement:

Gob Piles 1, 2, 3, and 4 appeared stable. The small ditches and BMPs on the upper part of Gob Pile #2 appeared to be functioning. The rills on Gob Pile #2 have not gotten worse.

**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 was in adequate condition. The slopes adjacent to this road are generally stable.

**SLIDES and DAMAGE - Rule 4.12:**

It appears that slumps above Curve Number 6 along the Haul Road, above the B Portal bench, above Curve Number 11, and above the D Portal bench have not moved significantly in recent months. Also, it does not appear that the large slide above Curve Number 10 has moved more in recent months.

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**SUPPORT FACILITIES - Rule 4.04:**

The following areas appeared stable with no signs of erosion:

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

**SIGNS AND MARKERS – Rule 4.02:**

Signs and markers were seen around the site, and no problems were identified.

**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.

**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**



**Gob Pile #2, middle portion**



**Gob Pile #2, upper portion**

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**Slide at B Portal bench**



**Slide at Curve 10**

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**Slope above D Portal bench**



**Slope below D Portal bench**

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**Lower slope of Gob Pile #3 (east end), center of photo**



**Lower slope of Gob Pile #3 (west end), center of photo**

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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 2024
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	February 29, 2024
Vegetation Monitoring Data	NA
Specific Variance Approvals	NA
Annual Reclamation Reports	2023
Midterm Review Documents	MT5, 3 October 2019
DRMS/OSM Inspection Reports/Enforcement Actions	Through February 2024
Transfers/Succession of Operator	10 August 2009
Temporary Cessation Notification	NA
Reclamation Cost Estimate	<b>SEE COMMENT 2</b>

**CERTIFICATIONS**

Pond Certifications	3Q 2023
Fill Certifications for Underground Development Waste	Vol. IV for Gob Pile #1
• Quarterly Inspections	4Q 2023
• 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 2024
Stormwater Management Plan	Revised January 2020
SPCC Plan	May 2013
MSHA Pond Inspections	NA
State Engineer's Pond Inspection	NA
Quarterly Pond Inspections	4Q 2023
Annual Hydrology Reports	2022
• 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 2024

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**COMMENTS:**

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

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