



STATE OF  
COLORADO

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

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## Bowie #2 inspection

2 messages

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

Fri, Sep 20, 2024 at 2:05 PM

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

Please see the attached report.

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.*

**Physical Address:**

1313 Sherman Street, Room 215  
Denver, CO 80203

**Mailing Address:**

Division of Reclamation, Mining and Safety, Room 215  
1001 East 62nd Avenue  
Denver, CO 80216  
[rob.zuber@state.co.us](mailto:rob.zuber@state.co.us) | <http://drms.colorado.gov>



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2218K

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

Fri, Sep 20, 2024 at 2:11 PM

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

Pardon me. Here is the correct file for Bowie #2.

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



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3016K



**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>  B. Bear, R. Wilson, A. Etter
<b>Operator Representative Signature: (Field Issuance Only)</b>  	

**INSPECTION INFORMATION**

<b>Inspection Start Date:</b> September 18, 2024 <b>Inspection Start Time:</b> 09:00 <b>Inspection End Date:</b> September 18, 2024 <b>Inspection End Time:</b> 13:00		<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>  9/20/2024

**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 &amp; Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

Y - Fish &amp; Wildlife

R - Hydrologic Balance

Y - Gen. Compliance With Mine Plan

N - Other

R - Processing Waste

R - Roads

Y - Reclamation Success

R - 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 September 18, 2024. For the inspection of Gob Pile #2, he was joined by three employees of Wolverine Fuels (parent company of BRL): Basil Bear, Ryan Wilson, and Art Etter.

The primary activity onsite by BRL was reclamation of the upper slope on Gob Pile #2 and stormwater control on the upper portion of this pile. BRL management indicated that they will leave the upper portion as it is (with no coverfill) until final reclamation.

The weather was clear and warm. The ground was muddy in places from recent rain.

**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.

**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 was close to discharging, but four of them contained visible water. The bottom of Pond J is obscured by cattails, and no water was seen. Pond K was dry. Pond F has been cleaned recently per Basil Bear. No significant problems were identified with embankments, spillways, inlet channels, or other features of the ponds.

The ditch that flows into Pond F from the west (Ditch F7a) is need of cleaning. BRL indicated that it was cleaned recently, but recent rains dumped more sediment into it.

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 1

The Fire Mountain Canal was not flowing. It contained water in some areas, likely from recent rain events.

#### 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. No problem was identified at the repaired blow out on Gob Pile #4, which occurred in the spring of 2023.

Placement of coverfill on Gob Pile #2 is still in progress on the upper slope. No erosion was identified. A small area of ponded water was seen at the low point on the upper (relatively flat) portion of Gob Pile #2. The sediment control structures have been partially built, including rocks and silt fence made of HDPE (product named E-Fence by ERTEC). BRL indicated that they will not allow this ponded water (from rain the day before the inspection) to be detained for more than a short time. BRL management indicated that small ditches will be re-built on the upper portion of this pile (as discussed in the August inspection report).

Water was seen in the ditch below Gob Pile #3, likely indicating that water was flowing through the underdrain.

#### 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, except for the slide at Curve 10 (see Slides and Other Damage section).

#### REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

Basil Bear indicated that yellow star thistle was found on the slope below the D Portal Bench. He also said that the plants were eradicated. He indicated that the County weed manager was notified. Both BRL and the County looked for this weed in other areas but did not find any. None was found in the Division inspection, but this should be an ongoing concern for BRL staff to manage this List A species of noxious weed.

Thistle plants have been killed near the southeast corner of Gob Pile #3.

#### SLIDES and DAMAGE - Rule 4.12:

No problems were seen on the slopes above and below the benches. The slides above the B Portal Bench and Curve 11 (noted in the past) look stable. The slide above Curve Number 10 appears to have not moved in recent months. This is an ongoing project for BRL.

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**SUPPORT FACILITIES - Rule 4.04:**

The following areas appeared stable with no signs of erosion:

- Utility Bench
- D Portal Bench
- The 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:**

No problems were noted at the Hubbard Creek facilities (Vent Shaft pad and Rock Laydown area).

**TOPSOIL – Rule 4.06**

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

Topsoil stockpiles appeared to be 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.

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 1



## **PHOTOGRAPHS**



**Sump area on Gob Pile #2 under construction – water from rain the day before the inspection**



**Ditch F7a in need of cleaning**

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**Slope behind the Prep Plant**



**Curve 6 and Topsoil Stockpile A**

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Number of Complete Inspections this Fiscal Year: 1





**Curve 10 slide, taken in May 2024**



**Curve 10 slide, taken in September 2024**

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 1





**B Portal bench – slide appears to be healing**



**Curve 11 – slide appears to be healing**

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 1





**Pond F inlet and soil pile above**



**Pond F, looking east**

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 1





**Gob Pile #3, looking west at south side**

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 1

**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 2025
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 August 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	3Q 2024
• 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 September 2024
Stormwater Management Plan	Revised January 2020
SPCC Plan	August 2023
MSHA Pond Inspections	NA
State Engineer's Pond Inspection	NA
Quarterly Pond Inspections	2Q 2024
Annual Hydrology Reports	2023
• 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	June 2024

Number of Partial Inspection this Fiscal Year: 2Number of Complete Inspections this Fiscal Year: 1



**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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