



U.S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation
State Program



1. Permittee/Person <div style="border: 1px solid black; padding: 2px;">BOWIE RESOURCES LLC</div> 2. Address <div style="border: 1px solid black; padding: 2px;">6100 DUTCHMANS LANE 9TH FLOOR</div> <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> 3. City <div style="border: 1px solid black; padding: 2px;">LOUISVILLE</div> 4. State <div style="border: 1px solid black; padding: 2px;">KY</div> 5. Zip Code <div style="border: 1px solid black; padding: 2px;">40205</div> 6. Phone Number <div style="border: 1px solid black; padding: 2px;">(502) 855-5157</div> 7. Operator Name, if Different than Permittee <div style="border: 1px solid black; padding: 2px;">BOWIE RESOURCES LLC</div> 8. Mine Name <div style="border: 1px solid black; padding: 2px;">BOWIE NO. 2</div>		9. Permit Number <div style="border: 1px solid black; padding: 2px;">C96083</div> 10. Permit Type <div style="border: 1px solid black; padding: 2px;">PP</div> 11. Field Visit Date <div style="border: 1px solid black; padding: 2px;">8/28/2024</div> <small>mm - dd - yyyy</small> 12. Purpose <div style="border: 1px solid black; padding: 2px;">OP</div> 13. SRA Present <div style="border: 1px solid black; padding: 2px;">Y</div> 14. Permit Status <div style="border: 1px solid black; padding: 2px;">IN</div> 15. Site Status <div style="border: 1px solid black; padding: 2px;">MC</div> 16. Facility Type <div style="border: 1px solid black; padding: 2px;">BCFG</div> 17. OSM Office # <div style="border: 1px solid black; padding: 2px;">141</div> 18. CCID # <div style="border: 1px solid black; padding: 2px;"></div> 19. Land Code <div style="border: 1px solid black; padding: 2px;">SF</div> 20. M.S.H.A. ID # <div style="border: 1px solid black; padding: 2px;">05-04591</div> 21. State Abbrev. <div style="border: 1px solid black; padding: 2px;">CO</div> 22. County/Burrough <div style="border: 1px solid black; padding: 2px;">GUNNISON</div> 23. AVS Permittee Entity ID Number <div style="border: 1px solid black; padding: 2px;">154464</div> 24. State Office <div style="border: 1px solid black; padding: 2px;"></div>																		
25. Hours <table style="width:100%;"><tr><td style="border: 1px solid black; padding: 2px; width: 10%;">2.0</td><td style="width: 90%;">a. Permit Review</td></tr><tr><td style="border: 1px solid black; padding: 2px;">5.0</td><td>b. Site Visit Time</td></tr><tr><td style="border: 1px solid black; padding: 2px;">6.0</td><td>c. Travel Time</td></tr><tr><td style="border: 1px solid black; padding: 2px;">9.0</td><td>d. Report Writing</td></tr></table>		2.0	a. Permit Review	5.0	b. Site Visit Time	6.0	c. Travel Time	9.0	d. Report Writing	26. Signature Block <div style="border: 1px solid black; padding: 5px; text-align: center;">Signature: <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Daniel MacKinnon, ID#554</div>Inspector's Name: Date: <div style="border: 1px solid black; padding: 2px;">10/1/2024</div></div>		27. Reviewing Official: <div style="border: 1px solid black; padding: 5px; text-align: center;">Signature: <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Howard Strand</div>Reviewer's Name: Date: <div style="border: 1px solid black; padding: 2px;">10/3/2024</div></div>								
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Permit Type - Item 10 IP = Interim Program PP = Permanent Program NP = No Permit																				
Purpose Type Codes - Item 12 <table style="width:100%;"><tr><td style="width: 33%;">Oxx...Oversight</td><td style="width: 33%;">RFx...Reclamation Fees</td><td style="width: 33%;">CCR...Citizen Complaint Referral (non-site visit)</td></tr><tr><td>Axx...Assistance</td><td>Fxx...Federal Actions</td><td>CC...Citizen Complaint (initial site visit)</td></tr><tr><td></td><td></td><td>CCF...Assistance</td></tr></table>						Oxx...Oversight	RFx...Reclamation Fees	CCR...Citizen Complaint Referral (non-site visit)	Axx...Assistance	Fxx...Federal Actions	CC...Citizen Complaint (initial site visit)			CCF...Assistance						
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Joint Inspection - Item 13 A joint inspection is when a state inspector accompanies an OSM inspector at any time during the review of the mine site																				
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Small Business Regulatory Enforcement Fairness Act (SBREFA) Your Comments are Important The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).																				
					Page 1															

U.S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation

Permittee/
Person **BOWIE RESOURCES LLC**

Permit
Number **C96083**

Field Visit
Date **8/28/2024**

State Program
Continuation Page

28. Performance Standard Categories

Codes:1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

A. Administrative

1. Mining within Valid Permit
2. Mining within Bonded Area
3. 1 Terms & Conditions of Permit
4. Liability Insurance
5. Ownership and Control
6. Temporary Cessation
7. AML Rec. Fees - Non-Respondent
8. AML Rec. Fees - Failure to Pay

B. Hydrologic Balance

1. 1 Drainage Control
2. Inspections & Certifications
3. 1 Siltation Structures
4. 1 Discharge Structures
5. 1 Diversions
6. Effluent Limits
7. Ground Water Monitoring
8. Surface Water Monitoring
9. Drainage - Acid-Toxic Materials
10. 1 Impoundments
11. Stream Buffer Zones

C. Topsoil & Subsoil

1. 1 Removal
2. Substitute Materials
3. 1 Storage and Protection
4. 1 Redistribution

D. Backfilling & Grading

1. Exposed Openings
2. Contemporaneous Reclamation
3. Approximate Original Contour
4. Highwall Elimination
5. Steep Slopes (includes downslope)
6. Handling of Acid and Toxic Materials
7. 1 Stabilization (rills and gullies)

E. Excess Spoil Disposal

1. Placement
2. Drainage Control
3. Surface Stabilization
4. Inspections & Certifications

F. Coal Mine Waste (Refuse Piles/Impoundments)

1. Drainage Control
2. Surface Stabilization
3. Placement
4. Inspections & Certifications
5. Impounding Structures

G. Use of Explosives

1. Blaster Certification
2. Distance Prohibitions
3. Blast Survey/Schedule
4. Warnings & Records
5. Control of Adverse Effects

H. Subsidence Control Plan

I. Roads

1. Road Construction
2. Certification
3. Drainage
4. 1 Surfacing and Maintenance
5. Reclamation

J. Signs & Markers

1. Signs
2. Markers

K. Distance Prohibitions

L. Revegetation

1. 1 Vegetative Cover
2. Timing

M. Postmining Land Use

N. Other

General
Performance
Category

Performance Standard Categories 30 CFR Counterparts

A. Administrative

- | | |
|-----------------------------------|-------------------------|
| 1. Valid Permit | 773.11 |
| 2. Mining within Bonded Area | 773.11 |
| 3. Terms & Conditions of Permit | 773.17 |
| 4. Liability Insurance | 800.60 |
| 5. Ownership and Control | 778.13 |
| 6. Temporary Cessation | 842.11(e) & 816/817.131 |
| 7. AML Rec. Fees - Non-Respondent | 870.15(b) |
| 8. AML Rec. Fees - Failure to Pay | 870.15(a) |

B. Hydrologic Balance (816/817.41-57)

- | | |
|-------------------------------------|-----------|
| 1. Drainage Control | 45 |
| 2. Inspections & Certifications | 49(a)(10) |
| 3. Siltation Structures | 46 |
| 4. Discharge Structures | 47 |
| 5. Diversions | 43 |
| 6. Effluent Limits | 42 |
| 7. Ground Water Monitoring | 41(c) |
| 8. Surface Water Monitoring | 41(e) |
| 9. Drainage--Acid - Toxic Materials | 41(f) |
| 10. Impoundments | 49 |
| 11. Stream Buffer Zones | 57 |

C. Topsoil & Subsoil (816/817.22)

- | | |
|---------------------------|-------|
| 1. Removal | 22(a) |
| 2. Substitute Materials | 22(c) |
| 3. Storage and Protection | 22(c) |
| 4. Redistribution | 22(d) |

D. Backfilling & Grading (816/817.95-107)

- | | |
|---------------------------------------|-----------------------------------|
| 1. Exposed Openings | 816/817.13, 14, 15, & 823.11 & 21 |
| 2. Contemporaneous Reclamation | 100 |
| 3. Approximate Original Contour | 102(a)(1) |
| 4. Highwall Elimination | 102(a)(2) |
| 5. Steep Slopes (includes downslope) | 107 |
| 6. Handling of Acid & Toxic Materials | 102(c) |
| 7. Stabilization (rills and gullies) | 95(b) |

E. Excess Spoil Disposal (816/817.71-74)

- | | |
|---------------------------------|-------|
| 1. Placement | 71(e) |
| 2. Drainage Control | 71(f) |
| 3. Surface Stabilization | 71(g) |
| 4. Inspections & Certifications | 71(h) |

F. Coal Mine Waste (Refuse Piles/Impoundments) (816/817.81-84)

- | | |
|-----------------------------------|-------|
| 1. Drainage Control | 83(a) |
| 2. Surface Stabilization | 83(b) |
| 3. Placement | 83(c) |
| 4. Inspections and Certifications | 83(d) |
| 5. Impounding Structures | 84 |

G. Use of Explosives (816/817.61-68)

- | | |
|-------------------------------|---------|
| 1. Blaster Certification | 61(c) |
| 2. Distance Prohibitions | 61(d) |
| 3. Blast Survey/Schedule | 62-64 |
| 4. Warnings & Records | 66 & 68 |
| 5. Control of Adverse Effects | 67 |

H. Subsidence Control Plan (817.121-122)

I. Roads (816/817.150-151)

- | | |
|------------------------------|---------------|
| 1. Road Construction | 150(c) |
| 2. Certification | 151(a) |
| 3. Drainage | 150(b)-151(d) |
| 4. Surfacing and Maintenance | 150(e)-151(d) |
| 5. Reclamation | 150(f) |

J. Signs & Markers (816/817.11)

- | | |
|------------|-----------------------|
| 1. Signs | 11(a),(b),(c) |
| 2. Markers | 11(a),(b),(d),(e),(f) |

K. Distance Prohibitions (761.11)

L. Revegetation (816/817.111-116)

- | | |
|---------------------|-----------|
| 1. Vegetative Cover | 111 & 116 |
| 2. Timing | 113 |

M. Postmining Land Use (816/817.133)

OSM Action

- | | |
|-----------------------------|--|
| 1) Deferred to State Action | 6) ID-CO Issued (Imminent Danger to Public) |
| 2) TDN Issued | 7) Previously cited by RA, abatement pending |
| 3) NOV Issued | 8) Abated during or before OSM inspection |
| 4) FTA-CO Issued | 9) Follow-up of Federal Action |
| 5) IH-CO Issued | 0) Off-site impact with no violation |

Off-Site Impacts

For each type of impact and resource affected, enter "N, D, or J" to describe the degree of off-site impact:
N - Minor Occurrence
D - Moderate Occurrence
J - Major Occurrence

MINE SITE INSPECTION NARRATIVE

COMPANY: Bowie Resources LLC

SITE: Bowie No. 2 Mine

PERMIT NO: C-1996-083

DATE OF INSPECTION: August 28, 2024

WEATHER: Warm and sunny.

Company Officials (i.e. operator's representative): Basil Bear, Ken Pitt, and Ryan Wilson

Division of Reclamation, Mining and Safety (DRMS) Official: Rob Zuber

OSMRE Official: Dan MacKinnon (badge #554)

Overview

This partial oversight inspection focused on Gob Piles 2 and 3, Ponds F and J, and the portal bench area. Overall, the sites inspected were stable and functional and the operator is active in reclamation, monitoring, and maintenance. No enforcement actions will be taken as a result of this inspection.

Inspection

Roads. All roads travelled during this inspection were stable and fully functional at the time of inspection. The operator was using a water truck to control dust.

Ponds and Ditches. Both the F and J (Figure 1) ponds were stable and functional at the time of inspection. All ditches surrounding Gob Pile 3 were stable; the operator and the state discussed a temporary ditch in the area where the operator is planning on removing subsoil and topsoil for reclamation. A newly constructed ditch directing water off Gob Pile 2 was stable at the time of inspection (Figure 2). The operator stated that recent precipitation was a good test for this ditch, which did not require any maintenance after the rain events. The operator also stated it plans to install larger riprap at the top of the ditch to help slow the velocity of surface flow entering the ditch.

Gob Piles. Gob Pile 3 was reclaimed and covered with vegetation, mostly lambsquarters (*Chenopodium album* and *Chenopodium ficifolium*, Figure 3). The operator dug six holes in the pile so the state could measure the depth of the coverfill before spreading the topsoil: the depths ranged from 36-44 inches. As the minimum acceptable depth is 36 inches, the operator has successfully demonstrated its responsibility according to the permit. The state also approximated the slope of the pile (required to be 3:1) at seven locations around the pile. Five of the seven were acceptable, and the other two were only slightly above the 3:1 requirement. The state

remeasured one of these locations using a more accurate slope measurement (i.e. measuring the entire length from the toe to the apex) which showed that portion of the pile to be in compliance. The other location was not remeasured and will be confirmed at a later date. OSMRE does not find an issue with this pile or the measurements presented in the state report.

Gob Pile 2 was found to be stable without issue at the time of inspection. Recent reclamation included laying coverfill (Figure 4) and constructing a drainage ditch (Figure 2, described in the ponds and ditches section above).

B Portal Bench and Surrounding Area. This area was largely stable at the time of inspection. Two areas are slumping; one around Curve 10 (Figure 5) and another at the portal faceup area (Figure 6). Both are routinely monitored by the operator and the state. The state determined that the operator recently treated several non-desirable species of plants and also marked areas that still required treatment at the appropriate time of plant growth.



Figure 1 - Pond J, stable and fully functional at the time of inspection.



Figure 2 - The recently installed drainage ditch at Gob Pile 2 (white arrow). A diversion ditch (yellow arrow) can also be seen in the picture.



Figure 3 - A sample of the abundant lambsquarters observed growing on Gob Pile 3. Some plants were as tall as 8 feet.



Figure 4 - The front face of Gob Pile 2, sable at the time of inspection.



Figure 5 -The slumping around curve 10 (white arrow). Both the state and operator routinely monitor this site.



Figure 6 - The slumping at the portal faceup area (white arrow). Both the state and operator routinely monitor this site.