



STATE OF
COLORADO

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

Bowie #2 inspection report

1 message

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Mon, Nov 18, 2024 at 12:17 PM

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

Hello all. Please see the attached report from my inspection last week.

Rob

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



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

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INSP-REPORTC_C1996083_RDZ_11182024.pdf
2262K



PERMIT INFORMATION

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

INSPECTION INFORMATION

Inspection Start Date: November 13, 2024 Inspection Start Time: 13:00 Inspection End Date: November 13, 2024 Inspection End Time: 15:00		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: 11/18/2024

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

N - Backfill & Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

Y - Fish & Wildlife

R - Hydrologic Balance

Y - 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

Y - Signs and Markers

N - Support Facilities Not On-site

Y - Special Categories Of Mining

R - Topsoil

COMMENTS

A complete inspection was conducted by Rob Zuber of DRMS on November 13, 2024. For the inspection of the slide at Curve 10, he was joined by Ken Pitt of BRL. No BRL representatives were present for the rest of the inspection.

Some areas were not accessed due to muddy conditions, including the upper portion of Gob Pile #2 and the areas that are along the road that is next to Hubbard Creek.

The primary activity onsite was hauling of topsoil to Gob Pile #3 by a contractor, Tribble and Sons.

The weather was clear and warm. The ground was muddy in some areas.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The records were mostly found to be complete. Some documents need to be updated: the DRMS inspection reports (October was missing), the CDPS permit, and the air emissions permit (which appears to be expired). 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 three of them contained visible water. The bottom of Pond J is obscured by cattails, and no water was seen. Ponds C and K were dry. No significant problems were identified with embankments, spillways, inlet channels, or other features of the ponds.

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 2

The Fire Mountain Canal was not flowing. It contained water in some areas, likely from recent precipitation 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, and no significant erosion was observed. The overburden pile that is southeast of Gob Pile #2 has been reduced to a small amount of material, as most of it has been spread on this pile. A berm below the remaining pile appears to be functioning to prevent the material from being transported by runoff.

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).

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.

At the slide above Curve Number 10, Ken Pitt has worked to lower large boulders off the slope to prevent them from falling down the hill, and to keep the drainage ditch open below the slide. At the time of the inspection, this ditch appeared to be functioning.

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

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Piles of soil have been hauled to the D Portal Bench from the work at Curve 10. These need to be spread to prevent ponding of water on the bench.

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.

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PHOTOGRAPHS



Gob Piles 1 and 4



Gob Pile #2 – slope below upper (flat) area

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Berm protecting material in soil pile beside Gob Pile #2



Equipment removing material from soil pile beside Gob Pile #3

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Equipment hauling topsoil to Gob Pile #3 (east side)



Equipment hauling topsoil to Gob Pile #3 (west side)

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Curve 10 – ditch that has been cleared



Curve 10 – slide area (note large rock below shadow of conveyor)

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Slump at B Portal Bench, north side



Slump at B Portal Bench, west side

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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 2025
Bond Documents	SEE COMMENT 1
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 September 2024
Transfers/Succession of Operator	10 August 2009
Temporary Cessation Notification	NA
Reclamation Cost Estimate	SEE COMMENT 2

CERTIFICATIONS

Pond Certifications	3Q 2024
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 October 2024
Stormwater Management Plan	Revised January 2020
SPCC Plan	August 2023
MSHA Pond Inspections	NA
State Engineer's Pond Inspection	NA
Quarterly Pond Inspections	3Q 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	November 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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