



STATE OF
COLORADO

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

Bowie #2 (C1996-083) inspection report

1 message

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

Thu, May 8, 2025 at 2:16 PM

To: Art Etter <AETter@wolverinefuels.com>

Cc: Ryan Wilson <RWilson@wolverinefuels.com>, Tamme Bishop <tammekb@gmail.com>

Hello, All -

Here is my report from my inspection this week.

Rob

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



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

Phone: 720.601.2276 | Fax: 303.832.8106

Physical Address:

1313 Sherman Street, Room 215
Denver, CO 80203

Address for FedEx or UPS:

Division of Reclamation, Mining and Safety, Room 215
1001 East 62nd Avenue
Denver, CO 80216

rob.zuber@state.co.us | <http://drms.colorado.gov>




INSP-REPORTC_C1996083_RDZ_05082025.pdf
2887K



PERMIT INFORMATION

Permit Number: C-1996-083 Mine Name: Bowie No. 2 Mine Operator: Bowie Resources, LLC Operator Address: Mr. Art Etter P.O. Box 1488 Paonia, CO 81428	County: Delta Operation Type: Underground Permit Status: Active Ownership: Private
	Operator Representative Present: None in field
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: May 6, 2025 Inspection Start Time: 14:00 Inspection End Date: May 6, 2025 Inspection End Time: 16:30		Inspection Type: Coal Complete Inspection Inspection Reason: Normal I&E Program Weather: Cloudy	
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: 5/8/2025

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

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

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 May 6, 2025. No BRL representatives were present for the field portion of the inspection.

No reclamation activities were observed, but the inspector was told that staff were repairing a fence.

The weather was cloudy (it rained briefly) and cool. The ground was slightly muddy in some areas.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The records were found to be well organized and complete. Please see the list of records included in this report. BRL is awaiting documentation from CDPHE for both the CDPS permit and the air emissions permit.

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. All of them were dry or nearly dry. No significant problems were identified with embankments, spillways, inlet channels, or other features of the ponds.

The Fire Mountain Canal was flowing full.

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4

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.

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:

The vegetation on Gob Piles 1 and 4 was very green. No weed problems were identified.

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 also looked stable, compared to photographs taken in recent months.

SUPPORT FACILITIES - Rule 4.04:

The following areas appeared stable with no signs of erosion:

- Utility Bench
- D Portal Bench
- B Portal Bench
- Material storage area beside Topsoil Stockpile A
- Conveyor corridors
- Coal Stockpile Pad
- The area around the office
- Preparation Plant and nearby water tank
- Pump House and Filter Building
- Old power plant
- Unit Train Loadout.

The grading project at the D Portal Bench is still in progress.

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4

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: 7

Number of Complete Inspections this Fiscal Year: 4

PHOTOGRAPHS



Pond F and adjacent soil pile



Gob Pile #3

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4



Looking east toward Gob Piles 1,2, and 4



West slope above B Portal Bench

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4



Slide at Curve 10



Slope below D Portal Bench

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4



Slope above Utility Bench



Topsoil Stockpile A

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4



Pond D



Upper portion of Gob Pile #2, looking west

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4



Riprap ditch below Gob Pile #2



Recently reclaimed portion of Gob Pile #2, looking west

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4

AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit

Exp. 4 April 2027

HYDROLOGIC RECORDS

CDPS Permit

CO-0044776,
Exp. Sept. 2024
(pending
approval)

Permit Application w/Revisions

yes

CDPS Records (DMRs)

Through
April 2025

Findings Document

RN-05,
12 January 2023

Stormwater Management Plan

Revised
January 2020

Insurance Certificate

Expires
1 May 2026

SPCC Plan

August 2023

Bond Documents

**SEE
COMMENT 1**

MSHA Pond Inspections

NA

Phased Bond Release
Documents/FindingsSL2,
30 Decmbr. 2016

State Engineer's Pond Inspection

NA

Air Emission Permits

96DL103-1
Submitted Jan.
2025

Quarterly Pond Inspections

1Q 2025

County Special Use Permits

NA

Annual Hydrology Reports

2023

UG Mining Landowner Notification

Several years

- Ground Water Monitoring

yes

Subsidence Monitoring Reports

NA

- Surface Water Monitoring

yes

Subsidence Monitoring Data

NA

- Spring & Seep Monitoring

NA

Rill & Gully Survey

March 27, 2025

- Mine Water Discharge
Monitoring

NA

Vegetation Monitoring Data

NA

- Mine Inflow Study

NA

Specific Variance Approvals

NA

- Water Consumption Records

NA

Annual Reclamation Reports

2024

Well Permits

NA

Midterm Review Documents

MT5,
3 October 2019

DRMS/OSM Inspection

Through
March 2025**BLASTING RECORDS**

Reports/Enforcement Actions

10 August 2009

Blasting Publication

NA

Transfers/Succession of Operator

NA

Blasting Records (3 years)

NA

Temporary Cessation Notification

SEE

ATFE Explosives Permit

NA

Reclamation Cost Estimate

COMMENT 2**CERTIFICATIONS**

Pond Certifications

1 April 2025

Blasting Variances

NA

Pre-Blast Surveys

NA

Fill Certifications for Underground
Development WasteVol. IV for Gob
Pile #1**ADDITIONAL RECORDS
(specify)**

- Quarterly Inspections

1Q 2025

SWMP Report

November 2024

- Compaction Testing

October 2022

- Final Certification

NA

Certs. for Coal Processing Waste
BanksVols IX, XI (Gob
Piles 2, 3, 4)

Haul Road Certifications

1998 and 2013

Access Road Certifications

Map 15 series

Number of Partial Inspection this Fiscal Year: 7Number of Complete Inspections this Fiscal Year: 4

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.

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 4