



STATE OF
COLORADO

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

Bowie #2 inspection report

1 message

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Fri, Sep 5, 2025 at 3:35 PM

To: Art Etter <AEtter@wolverinefuels.com>, Tamme Bishop <tammekb@gmail.com>, Ryan Wilson <RWilson@wolverinefuels.com>

Hi, All -

Here is the report from my inspection this week. Let me know if you have comments or questions.

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_09052025.pdf](#)
2335K



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: Ken Pitt, Tom Troyer
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: September 3, 2025 Inspection Start Time: 12:45 Inspection End Date: September 3, 2025 Inspection End Time: 14:30	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: 9/5/2025

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
R - 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
R - Reclamation Success
R - Revegetation
N - 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 September 3, 2025. Two BRL representatives, Ken Pitt and Tom Troyer, were present for a small portion of the inspection. They were at Gob Pile #2 checking soil depths. The weather was clear and hot (approximately 90 degrees Fahrenheit). The ground was dry.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

The Midterm No. 6 (MT-06) Review Document was not found in the three-ring binder. Otherwise, the records were well organized and complete.

BACKFILL and GRADING – Rule 4.14

Contemporaneous Reclamation 4.14.1; Approximate Original Contour 4.14.2; Highwall Elimination 4.14.1(2)(f); Steep Slopes 4.14.2, 4.27; Handling of Acid and Toxic Materials 4.14.3; Stabilization of Rills and Gullies 4.14.6:

The depth of soil on Gob Pile #2 was approximately five feet deep at the location that was checked in the presence of the inspector. Tom Troyer indicated that depths were approximately four feet at dozens of locations. This is in line with the specification in Volume IX of the PAP for this permit, which states that coverfill depth should be approximately 3.5 feet, and topsoil depth should be 6 inches.

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:

Five sediment ponds were inspected: B, C, D, F, and J. None of the ponds were close to discharging. Most of them were dry; the exception, Pond J, held a very small amount of water. No significant problems were identified with embankments, spillways, inlet channels, or other features of the ponds.

The Fire Mountain Canal was dry.

Number of Partial Inspection this Fiscal Year: 1

Number of Complete Inspections this Fiscal Year: 1

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

Drainage Control; Surface Stabilization; Placement:

Piles of coal waste were seen at the D Portal Bench. BRL needs to haul the piles to Gob Pile #2 prior to winter.

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 and the road to Gob Pile #2 were in good condition. The slopes adjacent to the roads appear stable.

RECLAMATION SUCCESS - Rule 4.15, Rule 3:

Gob Piles 1, 2, 3, and 4 appeared stable, and no significant erosion was observed.

Two SAEs were observed (one below the office and one west of Gob Pile #3, under the conveyor), and no erosion, large weed patches, or other problems were seen.

REVEGETATION – Rule 4.15

Vegetative Cover; Timing:

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.

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SUPPORT FACILITIES - Rule 4.04:

The following areas appeared stable with no signs of erosion:

- Utility Bench
- D Portal Bench
- B Portal Bench
- Conveyor corridors
- The Coal Stockpile Pad
- The area around the office
- The Preparation Plant and nearby water tank
- Pump House and Filter Building
- Old power plant

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 Pile #3



Topsoil Stockpile, with Gob Pile #2 in background

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BRL staff checking coverfill depths at Gob Pile #2



Upper portion of Gob Pile #2

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B Portal Bench



Slide at Curve 10

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Piles of waste material on D Portal Bench



Hillside below the Utility Bench

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Pond F and former site of soil pile

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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 August 2025
Findings Document	RN-5, 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/Findings	SL-2, 30 Decmbr. 2016	State Engineer's Pond Inspection	NA
Air Emission Permits	96DL103-1 Submitted Jan. 2025	Quarterly Pond Inspections	2Q 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	MT-5, 3 October 2019		
DRMS/OSM Inspection	Through July 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 COMMENT 2	ATFE Explosives Permit	NA
Reclamation Cost Estimate	1 April 2025	Blasting Variances	NA
		Pre-Blast Surveys	NA
CERTIFICATIONS			
Pond Certifications	Vol. IV for Gob Pile #1	ADDITIONAL RECORDS (specify)	
Fill Certifications for Underground Development Waste	1Q 2025	SWMP Report	June 2025
• Quarterly Inspections	October 2022		
• Compaction Testing	NA		
• Final Certification	Vols IX, XI (Gob Piles 2, 3, 4)		
Certs. for Coal Processing Waste Banks	1998 and 2013		
Haul Road Certifications	Map 15 series		
Access Road Certifications			

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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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