



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
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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.

Number of Partial Inspection this Fiscal Year: 1

Number of Complete Inspections this Fiscal Year: 1

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

Number of Partial Inspection this Fiscal Year: 1

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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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Number of Complete Inspections this Fiscal Year: 1

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/FindingsSL-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 2019DRMS/OSM Inspection
Reports/Enforcement ActionsThrough
July 2025**BLASTING RECORDS**

Transfers/Succession of Operator

10 August 2009

Blasting Publication

NA

Temporary Cessation Notification

NA

Blasting Records (3 years)

NA

Reclamation Cost Estimate

**SEE
COMMENT 2**

ATFE Explosives Permit

NA

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

June 2025

- 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: 1Number 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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