



COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY COAL PROGRAM INSPECTION REPORT



PERMIT INFORMATION

Permit Number: C-1981-033 Mine Name: Bear Mine Operator: Bear Coal Company, Inc. Operator Address: Mr Daniel Bear 1326 War Emblem Lane Rock Springs, WY 82901	County: Gunnison Operation Type: Underground Permit Status: Permanent Cessation Ownership: Federal
	Operator Representative Present: None Present
Operator Representative Signature: (Field Issuance Only) 	

INSPECTION INFORMATION

Inspection Start Date: March 19, 2013 Inspection Start Time: 16:50 Inspection End Date: March 19, 2013 Inspection End Time: 17:20		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): Susan L. Burgmaier	Inspector's Signature: <i>Susan Burgmaier</i>		Signature Date: 03/21/2013

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

NA - Gen. Compliance With Mine Plan

NA - Other

NA - Processing Waste

R - Roads

Y - Reclamation Success

Y - Revegetation

Y - Subsidence

Y - Slides and Other Damage

Y - Support Facilities On-site

Y - Signs and Markers

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

Y - Topsoil

COMMENTS

This was a complete inspection of the Bear No. 3 Mine conducted by Susan Burgmaier of DRMS. No representative of Bear Coal Company was present during the inspection. Weather conditions at the time of the inspection were clear and warm; ground conditions were muddy.

The permit for the mine expired on July 19, 2012, and the operator did not apply for renewal of the permit.

There were tire tracks through the mud of the facilities area; it appeared that a vehicle had driven through the facilities area to the east end of the permit area.

AVAILABILITY OF RECORDS – Rule 5.02.4(1):

Records were inspected at the Bowie Resources, LLC office. Required records were available but had not been updated since the mine permit expired.

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:

Backfilled slopes did not exhibit any signs of recent movement or instability.

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:

The sedimentation pond was dry. The seep at the base of the portal slope slide was flowing about 1-2 gpm into the treatment pond which was discharging to the North Fork of the Gunnison River.

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):

Number of Partial Inspection this Fiscal Year: 7

Number of Complete Inspections this Fiscal Year: 3

The bridge providing access to the mine area was in very poor condition. The interface of the bridge with the east bank of the North Fork continues to erode, and a hole approximately 3' x 5' has opened on the south abutment corner. Smaller holes, around 1-2' in diameter are exposed on the other three corners. The hole on the southeast end is large enough for a vehicle tire to fall through.

ENFORCEMENT ACTIONS/COMPLIANCE

No enforcement actions were initiated as a result of this inspection. The following items remain outstanding and unabated:

Infraction Number: CO2013001

Inspection Date: January 9, 2013

Date Issued: January 11, 2013

Primary Topic: Administrative

Secondary Topic: Gen. Compliance With Mine Plan

Tertiary Topic:

Description: Failure to abate NOV CV-2012-009, parts A) and B), on or before December 31, 2012.

A) Bear Coal Company, Inc., failed to obtain a valid permit as required by 34-33-101 et seq, the "Colorado Coal Mining Reclamation Act," the applicable regulations, and its Permit though it is under an ongoing obligation to complete reclamation of the mine site. Bear Coal Company, Inc. was previously issued Permit No. C-1981-033, which expired on July 19, 2012, and reclamation has not been completed.

B) Bear Coal Company, Inc., failed to complete reclamation in compliance with the terms of its Permit, the Act, and the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining. Bear Coal Company, Inc., has not: completed final ditch and pond reclamation; established a diverse, effective and permanent vegetative cover; or assumed responsibility for successful revegetation.

Abatement #: 1

Abatement Due Date: 1/25/2013

Abatement Description: A) Submit a complete permit application to the Division to obtain a valid permit for the completion of reclamation at the mine site under the provisions of 34-33-101 et seq.

Infraction Number: CV2012009

Inspection Date: November 30, 2012

Date Issued: December 17, 2012

Primary Topic: Administrative

Secondary Topic: Gen. Compliance With Mine Plan

Tertiary Topic:

Description: A) Bear Coal Company, Inc., failed to obtain a valid permit as required by 34-33-101 et seq, the "Colorado Coal Mining Reclamation Act," the applicable regulations, and its Permit though it is under an ongoing obligation to complete reclamation of the mine site. Bear Coal Company, Inc. was previously issued Permit No. C-1981-033, which expired on July 19, 2012 and reclamation has not been completed.

B) Bear Coal Company, Inc., failed to complete reclamation in compliance with the terms of its
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Permit, the Act, and the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining. Bear Coal Company, Inc., has not: completed final ditch and pond reclamation; established a diverse, effective and permanent vegetative cover; or assumed responsibility for successful revegetation.

Abatement #: 1

Abatement Due Date: 12/31/2012

Abatement Description: A) Submit a complete permit application to the Division to obtain a valid permit for the completion of reclamation at the mine site under the provisions of 34-33-101 et seq.

PHOTOGRAPHS



Bridge Abutment



Sediment Pond

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Treatment Pond



Facilities Area



Portal Slope



Discharge to North Fork

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AVAILABILITY OF RECORDS**PERMIT RECORDS**

DRMS Permit	7/19/2012
Permit Application w/Revisions	Engineer's Office
Findings Document	11/14/2003
Insurance Certificate	5/17/2012
Bond Document	
Phased Bond Release	X 2011
Documents/Findings	
Air Emission Permits	NA
County Special Use Permits	NA
UG Mining Landowner Notification	X
Subsidence Monitoring Reports	Eng. Office
Subsidence Monitoring Data	Eng. Office
Rill & Gully Survey	NA
Vegetation Monitoring Data	NA
Specific Variance Approvals	NA
Annual Reclamation Reports	2010
Midterm Review Documents	1/19/2010
DRMS/OSM Inspection	X
Reports/Enforcement Actions (3 Years)	
Transfers/Succession of Operator	NA
Temporary Cessation Notification	NA
Reclamation Cost Estimate	SI-1
CERTIFICATIONS	
Pond Certifications	2011
Annual Certifications for Large Impoundments	NA
Fill Certifications for Excess Spoil or Underground Development Waste	NA
• Quarterly Inspections	NA
• Compaction Testing	NA
• Final Certification	NA
Coal Processing Waste Banks	NA
Haul Road Certifications	NA
Access Road Certifications	NA

HYDROLOGIC RECORDS

NPDES Permit	terminated
NPDES Records	NA
Stormwater Management Plan	X 2010 permit
SPCC Plan	NA 1983
MSHA Pond Inspections	NA
	NA
State Engineer's Pond Inspection	
Quarterly Pond Inspections	2 nd Q 2012
Annual Hydrology Reports	2010
• Ground Water Monitoring	2010
• Surface Water Monitoring	2010
• Spring & Seep Monitoring	2010
• Mine Water Discharge Monitoring	2010
• Mine Inflow Study	2010
• 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)

COMMENTS: Records have not been updated since the DRMS permit expired. Records were available for inspection at the Bowie No. 2 Mine

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Number of Complete Inspections this Fiscal Year: 3