




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 - Aerial Inspection
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: April 19, 2013 Inspection Start Time: 12:28 Inspection End Date: April 19, 2013 Inspection End Time: 12:28	Inspection Type: Aerial 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 Harry B. Ranney	Inspector's Signature:  Signature Date: 04/23/2013

Inspection Topic Summary

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

N - Air Resource Protection	N - Roads
N - Availability of Records	N - Reclamation Success
N - Backfill & Grading	N - Revegetation
NA - Excess Spoil and Dev. Waste	N - Subsidence
NA - Explosives	R - Slides and Other Damage
N - Fish & Wildlife	N - Support Facilities On-site
R - Hydrologic Balance	N - Signs and Markers
N - Gen. Compliance With Mine Plan	NA - Support Facilities Not On-site
NA - Other	NA - Special Categories Of Mining
NA - Processing Waste	N - Topsoil

COMMENTS

This was a partial inspection of the Bear No. 3 Mine based on aerial photographs of the site taken by Harry Ranney and reviewed by Susan Burgmaier of DRMS. Weather conditions at the time of the inspection were clear; ground conditions appeared to be muddy around the facilities area.

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

The treatment pond held water; the sediment pond was dry. The portal slope seep was flowing to the North Fork.

SLIDES and DAMAGE - Rule 4.12:

The portal slope appeared to be stable, with no indication of any recent movement.

Number of Partial Inspection this Fiscal Year: 8

Number of Complete Inspections this Fiscal Year: 3

ENFORCEMENT ACTIONS/COMPLIANCE

The following enforcement actions are outstanding:

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 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

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valid permit for the completion of reclamation at the mine site under the provisions of 34-33-101 et seq.

The Division has issued an order for the permittee to show cause as to why the permit should not be revoked. A formal public hearing on the matter has been set for the May 15-16, 2013 Mined Land Reclamation Board Meeting.

PHOTOGRAPHS



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