




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: May 7, 2013 Inspection Start Time: 16:00 Inspection End Date: May 7, 2013 Inspection End Time: 14:30		Inspection Type: Coal Partial Inspection Inspection Reason: Normal I&E Program Weather: Raining	
Joint Inspection Agency: None		Joint Inspection Contacts: 	
Post Inspection Agency: None		Post Inspection Contacts: 	
Inspector(s): Susan L. Burgmaier	Inspector's Signature: 		Signature Date: May 8, 2013

Inspection Topic Summary

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

N - Air Resource Protection

N - Availability of Records

R - Backfill & Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

N - Fish & Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

NA - Other

NA - Processing Waste

R - Roads

N - Reclamation Success

R - Revegetation

N - Subsidence

R - Slides and Other Damage

Y - Support Facilities On-site

Y - Signs and Markers

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

N - Topsoil

COMMENTS

This was a partial 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 cool with heavy rainfall; 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.

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:

There was no indication of any recent slope movement on the reclaimed portal and roadway hillside. The concrete structure of the Edwards portal is visible on the slope where the slide occurred in the 1990s. It appears that the structure is becoming more exposed, but the Division will need to review the current condition of the slope and compare it to prior observations to determine whether this is actually occurring.

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 sediment pond was muddy, but not holding water. The treatment pond held water and was discharging the North Fork of the Gunnison River. The Edwards Portal seep was flowing to the treatment pond.

GENERAL MINE PLAN COMPLIANCE:

There is currently no approved mining and reclamation plan, since the permit has expired.

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: 9

Number of Complete Inspections this Fiscal Year: 3

The bridge that provides access to the site is in very poor condition, and is likely unsafe for vehicular travel. Large holes (triangular, 3' x 3' on southeast corner) have developed on the east end of the bridge, where the river bank is eroding away from the structure. The hole on the southeast corner is large enough for a vehicle tire to become lodged. Similar holes are developing on the west end, though not as large. Planking across the bridge is rotting out, especially on the east end.

REVEGETATION – Rule 4.15 ☐ Vegetative Cover; Timing:

Vegetative cover at the site is fair, but there are weedy patches. A large patch of Canada thistle rosettes was observed just east of the treatment pond, on the north side of the roadway through the reclaimed facilities area.

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ENFORCEMENT ACTIONS/COMPLIANCE**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 valid permit for the completion of reclamation at the mine site under the provisions of 34-33-101 et seq.

Number of Partial Inspection this Fiscal Year: 9Number of Complete Inspections this Fiscal Year: 3

PHOTOGRAPHS



Seep flowing to North Fork of the Gunnison



Northeast corner of bridge abutment



Southeast corner of bridge abutment



Sediment Pond

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Treatment Pond



Treatment Pond



East end of reclamation



Edwards Portal slope

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