



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: Revoked Ownership: Federal
Operator Representative Present: None - Revoked Permit	
Operator Representative Signature: (Field Issuance Only)	

INSPECTION INFORMATION

Inspection Start Date: June 24, 2013 Inspection Start Time: 18:35 Inspection End Date: June 24, 2013 Inspection End Time: 19:20	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: 06/25/2013

Inspection Topic Summary

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

NA - Air Resource Protection

Y - Roads

NA - Availability of Records

Y - Reclamation Success

Y - Backfill & Grading

Y - Revegetation

NA - Excess Spoil and Dev. Waste

Y - Subsidence

NA - Explosives

Y - Slides and Other Damage

R - Fish & Wildlife

Y - Support Facilities On-site

R - Hydrologic Balance

Y - Signs and Markers

NA - Gen. Compliance With Mine Plan

NA - Support Facilities Not On-site

NA - Other

NA - Special Categories Of Mining

NA - Processing Waste

Y - Topsoil

COMMENTS

This was a complete inspection of the Bear No. 3 Mine conducted by Susan Burgmaier of DRMS. Weather conditions were clear and warm; ground conditions were dry.

The permit for the site was revoked during the May 15, 2013 Mined Land Reclamation Board Meeting, and the Division is currently in the process of bond forfeiture proceedings.

FISH and WILDLIFE – Rule 4.18:

A few deer, including a spotted fawn, were observed in the facilities area.

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 dry; the treatment pond was full and 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):

The bridge that provides access to the site was in very poor condition. The decking material has rotted out on both ends, and the embankment material is eroding away from the bridge. Vehicular travel across the bridge is nearly impossible because of the wide gaps at either end.

REVEGETATION – Rule 4.15 □ Vegetative Cover; Timing:

The facilities area was covered with a considerable amount of cheatgrass and thistle.

SLIDES and DAMAGE - Rule 4.12:

The portal faceup appears to be settling and exposing a concrete buttress that was buried in the backfill.

Number of Partial Inspection this Fiscal Year: 10

Number of Complete Inspections this Fiscal Year: 4

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: 10Number of Complete Inspections this Fiscal Year: 4

PHOTOGRAPHS



East end of bridge

Cheatgrass at facilities area



Number of Partial Inspection this Fiscal Year: 10

Number of Complete Inspections this Fiscal Year: 4



Treatment Pond

Portal slope



Number of Partial Inspection this Fiscal Year: 10
Number of Complete Inspections this Fiscal Year: 4



Concrete abutment protruding from backfill

Number of Partial Inspection this Fiscal Year: 10

Number of Complete Inspections this Fiscal Year: 4