




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



### PERMIT INFORMATION

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

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> July 10, 2013 <b>Inspection Start Time:</b> 15:15 <b>Inspection End Date:</b> July 10, 2013 <b>Inspection End Time:</b> 15:45	<b>Inspection Type:</b> Coal Partial Inspection <b>Inspection Reason:</b> Normal I&E Program <b>Weather:</b> Clear
<b>Joint Inspection Agency:</b>  None	<b>Joint Inspection Contacts:</b>
<b>Post Inspection Agency:</b>  None	<b>Post Inspection Contacts:</b>
<b>Inspector(s):</b>  Marcia L. Talvitie, P.E.	<b>Inspector's Signature:</b>  <b>Signature Date:</b>  12-Jul-2013

**Inspection Topic Summary**

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

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

**COMMENTS**

A partial inspection of the Bear Mine was conducted by me, Marcia Talvitie of the Division, on the afternoon of Wednesday, July 10, 2013. Skies were clear, with temperatures in the 90's.

**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:

- Recent conditions on the western slope have been dry, and the entire ground surface within the permit area was extremely dry.
- The hillside seep was flowing at a small trickle.
- The treatment pond held water (Photo 1), but the sedimentation pond was dry.

**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):

- Access to the permit is gained by a bridge that crosses the North Fork of the Gunnison River. The timber bridge deck is in poor condition at both ends of the structure (Photo 2).
- There is no barrier in place to prohibit vehicular access to the permit area, although a sign is posted at the bridge.

## REVEGETATION – Rule 4.15

## Vegetative Cover; Timing:

- Vegetation within the permit area is largely dominated by weeds. It is probably too late this season to address the issue, but weed control measures should be vigorously implemented next spring to begin to reverse the situation.
- The yard area is covered with Cheat grass, Jointed goat grass, and a low-lying mustard. A stand of Hoary cress was also observed.
- A zone of Canada thistle is thriving in the vegetation east of the treatment pond (Photo 3).
- Tamarisk is well established on the pond banks and on the hillside where the seep emanates from the slide (Photo 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.





Photo 1 – Treatment Pond



Photo 2 – Bridge Deck

Number of Partial Inspection this Fiscal Year: 1

Number of Complete Inspections this Fiscal Year: 0





Photo 3 – Canada thistle stand



Photo 4 – Hillside seep area, with Tamarisk trees

Number of Partial Inspection this Fiscal Year: 1

Number of Complete Inspections this Fiscal Year: 0