



# 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>  NA - Revoked Site
<b>Operator Representative Signature:</b> (Field Issuance Only)	

## INSPECTION INFORMATION

<b>Inspection Start Date:</b> July 23, 2013 <b>Inspection Start Time:</b> 11:27 <b>Inspection End Date:</b> July 23, 2013 <b>Inspection End Time:</b> 11:28	<b>Inspection Type:</b> Aerial 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>  Susan L. Burgmaier  Harry B. Ranney	<b>Inspector's Signature:</b>  <i>Susan Burgmaier</i>  <b>Signature Date:</b>  07/29/2013

**Inspection Topic Summary**

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

NA - Air Resource Protection

N - Roads

NA - Availability of Records

N - Reclamation Success

R - Backfill &amp; Grading

N - Revegetation

NA - Excess Spoil and Dev. Waste

N - Subsidence

NA - Explosives

N - Slides and Other Damage

N - Fish &amp; Wildlife

N - Support Facilities On-site

R - Hydrologic Balance

N - 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

N - Topsoil

**COMMENTS**

This was a partial inspection of the Bear Mine based on aerial photographs of the site taken by Harry Ranney and reviewed by Susan Burgmaier of CDRMS. The permit for the site has been revoked, and the performance bonds were forfeited by the permittee.

Weather conditions at the time of the inspection were clear; ground conditions appeared to be dry. A vehicle was parked just west of the bridge providing access from Highway 133. It was not apparent whether anyone was on site.

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 and regraded slopes appeared to be stable, with no indication of any excessive erosion or recent movement.

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 and appeared to be discharging to the North Fork of the Gunnison River. The sediment pond held a small amount of water.

Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0

**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: 2

Number of Complete Inspections this Fiscal Year: 0

**PHOTOGRAPHS**



Number of Partial Inspection this Fiscal Year: 2

Number of Complete Inspections this Fiscal Year: 0