



## 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 Permit	
<b>Operator Representative Signature:</b> (Field Issuance Only)	

### INSPECTION INFORMATION

<b>Inspection Start Date:</b> August 22, 2013 <b>Inspection Start Time:</b> 14:35 <b>Inspection End Date:</b> August 22, 2013 <b>Inspection End Time:</b> 15:15	<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>  Susan L. Burgmaier	<b>Inspector's Signature:</b>  <i>Susan Burgmaier</i> <b>Signature Date:</b>  08/23/2013

**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	N - Reclamation Success
Y - Backfill & Grading	N - Revegetation
NA - Excess Spoil and Dev. Waste	N - Subsidence
NA - Explosives	R - Slides and Other Damage
R - Fish & 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 conducted by Susan Burgmaier of DRMS. Weather conditions at the time of the inspection were clear and warm; ground conditions were dry.

The Bear Mine permit has been revoked and the performance bond was forfeited by Bear Coal Company. The performance bonds have been received by the Division, and the Inactive Mine Program of DRMS will be coordinating final reclamation of the site.

**FISH and WILDLIFE – Rule 4.18:**

Eight wild turkeys were flushed on the east end of the facilities disturbance 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 held water and was discharging to the North Fork of the Gunnison River. The portal seep was discharging very low flow to the treatment pond. The discharge pipe for the treatment pond water is cracked in several places so the seep flows along the river bank at various locations before making its way to the 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 providing access to the site continues to deteriorate. There are large holes on the east end of the bridge and the decking is rotting and falling through.

**SLIDES and DAMAGE - Rule 4.12:**

The concrete abutment protruding from the portal area slope backfill continues to be further exposed. It appears that the material around the abutment is settling.

Number of Partial Inspection this Fiscal Year: 3

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 Due Extended Date:

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 Due Extended Date:

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: 3Number of Complete Inspections this Fiscal Year: 0

**PHOTOGRAPHS**

Photo 1  
East side of Bridge



Photo 2  
Treatment Pond

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 0





Photo 3  
Portal slope



Photo 4  
Concrete abutment

Number of Partial Inspection this Fiscal Year: 3

Number of Complete Inspections this Fiscal Year: 0