



STATE OF
COLORADO

Ridley - DNR, Hunter <hunter.ridley@state.co.us>

ARR Review 2023, Foidel Creek Mine, C-1982-056

1 message

Ridley - DNR, Hunter <hunter.ridley@state.co.us>

Thu, Mar 28, 2024 at 1:26 PM

To: "Kawcak, Miranda" <mkawcak@peabodyenergy.com>

Miranda,

Please find attached the Division's notice of receipt and adequacy review for the 2023 Annual Reclamation Report for the Foidel Creek Mine (C-1982-056). Please review this letter for adequacy items and contact me with any questions.

Kind regards,

Hunter Ridley (she/her/hers)

Environmental Protection Specialist I



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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2023ARR_AdequacyReview_Foidel.pdf

275K



March 28, 2024

Miranda Kawcak
Twenty Mile Coal Company
29515 Routt County Road #27
Oak Creek, CO 80467

RE: Foidel Creek Mine; C-1982-056; 2022 Annual Reclamation Report Review

Dear Ms. Kawcak:

The Colorado Division of Reclamation, Mining, and Safety (Division) has received and reviewed the 2023 Annual Reclamation Reports (ARR) for the Foidel Creek Mine for compliance with Rule 2.04.13. Below is a discussion of the Division's review. **Bolded items are issues that the Division requests Twentymile Coal, LLC. (TC) to respond to by April 29, 2024.**

Rule 2.04.13(1) – The ARR was received by the Division on February 14, 2024.

Rule 2.04.13(1)(a) – The cover of the ARR Form includes the name of the permittee, the address and the permit number.

Rule 2.04.13(1)(b) - The report indicates there were a cumulative total of 806.9 acres disturbed at the mine site. There were 8.1 acres of new disturbance in the calendar year of 2023. The total acreage approved to be disturbed in 2023 at the Foidel Creek Mine is 827.15 acres.

Rule 2.04.13(1)(C) – The report indicated that 0.00 acres were backfilled and graded in 2023. The cumulative total reported 169.2 acres for those backfilled and graded. ***See adequacy item No. 2**

Rule 2.04.13(1)(d) – The report indicated that 0.00 acres were topsoiled in 2023. The cumulative total reported 169.2 acres for those topsoiled. ***See Adequacy Item No. 2**

2.04.13(1)(e) – The report indicated that 0.00 acres were revegetated in 2023. The total acreage reseeded at the mine site is 169.2 acres.

2.04.13(1)(f) – A total of 169.2 acres have been reseeded prior to 2023.

2.04.13(2) – Additional documentation provided with the 2023 ARR included; a cover letter, weed spray log, and a 'Disturbed Acreage Spreadsheet' which describes the location of disturbances. Weed control spraying occurred in May, June, July and September of 2023.



Adequacy Items:

1. The ARR form states that 806.9 total acres are disturbed at the site. The Disturbed Acreage Spreadsheet shows that there are 807.35 acres disturbed under 'Cumulative Total 2020'. Please clarify for the Division where the 0.45 acre discrepancy originates. If this discrepancy is due to the difference in permitted but undisturbed acreage, the difference should be 4.8 acres as 3.3 Acres (7RT/2MN/SWMD TUF BOREHOLES) plus 1.5 acres (10-EAST EMERGENCY AIR BOREHOLE) equals 4.8 acres as noted on the Disturbed Acreage Spreadsheet.
2. The ARR Form indicates that no new backfilling and grading activities were conducted in 2023 and that no topsoil was applied in 2023. However, the Disturbed Acreage Spreadsheet notes that 8.1 acres of Corehole disturbance were reclaimed in 2023. Please ensure that the backfilled, topsoiled, and/or seeded acreage amounts on the ARR Form include this update.
3. Several labels across the submitted forms reference years prior to 2023. E.g. footer on the ARR Form, '2005-2022 additions' and 'Cumulative Total 2020' on the Disturbed Acreage Spreadsheet. Please ensure these labels are updated if need be to include all relevant years in which additions were made to number of acres permitted and or disturbed.

It is noted that the Division interprets the submittal date of February 15, or other such date as agreed on identified per Rule 2.04.13(1) as the complete and accurate submittal of the Annual Reclamation Report covering the previous calendar year for all areas under bond. As such, please provide all responses to the Division's review of the Annual Reclamation Report within thirty (30) days of the date of this review.

If you require additional information, or have questions or concerns, please feel free to contact me at 720-868-7757 or hunter.rildey@state.co.us

Sincerely,
Hunter C. Ridley



Environmental Protection Specialist
CC: Zach Trujillo, DRMS