



STATE OF
COLORADO

Reilley - DNR, Robin <robin.reilley@state.co.us>

Preliminary ADQ Yoast Mine Permit Renewal 6

1 message

Reilley - DNR, Robin <robin.reilley@state.co.us>
To: "Kawcak, Miranda" <MKawcak@peabodyenergy.com>

Mon, Apr 7, 2025 at 1:07 PM

Good Afternoon Ms Kawcak,

Please find the preliminary adequacy for the Yoast Mine Permit Renewal 6. The decision due date is 6 June 2025. Please submit responses by the first week of May to assure no gap in the permit.

Thank you

Robin Reilley, M.S. GISP
Environmental Protection Specialist II

image.png

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PrelimADQRN6.pdf
387K



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

Robin Reilley M.S. GISP
DRMS
1313 Sherman Street, Room 215
Denver, CO 80203

7 April 2025

Ms. Miranda Kawcak
Environmental Manager Seneca Yoast Properties
LLC. 29515 Routt County Rd #27
Oak Creek, CO 80467

RE: Yoast Mine, Permit No. C1994082
DRMS Review of Rules Related to Permit Renewal 6(RN6): Preliminary

Adequacy Dear Ms. Kawcak:

The Division has completed its preliminary review of Seneca Properties, LLC (SPL) Yoast Mine permit RENEWAL No. 6, RN6 received by the Division on 5 February 2025 via electronic submission. DRMS found the proposed revision complete on 6 February 2025. The proposed decision due date is 6 June 2025.

DRMS's reviewed the application against SPL's permit with regards to the Colorado Surface Coal Mining Reclamation Act (Act), the Regulations of the Colorado Mined Land Reclamation Board for Coal Mining (Regulations; Rules), and the following specific rules during DRMS's preliminary adequacy review.

The decision due date for DRMS to meet its statutory requirements is 28 August 2025. DRMS requests that your response to this initial review of the permit arrive in DRMS's office with ample time to review SPL's response and reply if necessary.

Best Regards

R. Reilley M.S. GISP
Environmental Protection Specialist II



2.03.4	2.03.5	2.03.6
2.03.7	2.03.8	2.03.9
2.03.10	2.03.11	2.03.12
2.04.3	2.04.4	2.04.5
2.04.6	2.04.7 (1), (2), (3)	2.04.8
2.04.9	2.04.10	2.04.11
2.04.12	2.05.3(1), (2)	2.05.3(3)
2.05.3(4), (5), (6)	2.05.4(2)	2.05.5(1)
2.05.6(1), (2), (3), (4)		

All Rules referenced within this document are contained within the Regulations.

Rule: 2.03.4 Identification of Interests

2025 April DRMS: The information required by this Rule is located in Volume 1, Tab 3 portions of this information were updated in SO2 (2015), and RN4 (2017). DRMS finds this section of the permit **adequate with the exception of the following:**

1. Please confirm to DRMS that the names and addresses of owners of record information of Appendix 3-2 dated 2017 remains current.
2. Please confirm that the lists of Surface, Coal and Minerals Ownership etc, are up to date (Attachment 3-5).

Rule: 2.03.5 Compliance Information

2025 April DRMS: The information required by this Rule is located in Volume 1, Tab 3 Appendix 3-6 of the Permit Application Package. DRMS finds this section of the permit **adequate with the exception of the following:**

3. Please update page 3-6.1 to address the current permit term.

Compliance information was revised as per Permit Renewal 4 (RN4) in September 2017. No violations have been issued since September 2017.

Rule: 2.03.6 Right of Entry

The information required by this Rule is located in Volume 1, Tab 3. The information required by this Rule is located in Volume 1, Tab 3. Appendix 3-4 of the Permit Application Package and comprises information regarding lease agreements, property deeds and right of way agreements. The permit area legal description is found in Appendix 3-1. Right of entry information was updated as per SO2 in December of 2015.

2025 April DRMS:

4. Please verify that the ownership and control information Attachment 3-4 of the current permit is up to date.
5. Please verify that Right of Entry (Appendix 3-4) information is up to date.

Rule: 2.03.7 Relationship to Areas Designated Unsuitable for Mining

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 3.

Rule: 2.03.8 Permit Term Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Tab 12 and Exhibit 12-1.

Rule: 2.03.9 Insurance Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 3, Attachment 3-3. The DRMS document storage system stores annual insurance certificates for the site.

6. Please submit a current certificate of insurance for the site.

Rule: 2.03.10 Identification of Licenses and Permits

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 3 page 14.

Rule: 2.03.11 Identification of Public Office for Filing

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 3 page 14.

Rule: 2.03.12 Proof of Publication

2025 April DRMS: DRMS finds this section of the permit **adequate**, with the exception of the following:

DRMS is unaware that the permitting action has been published in the local newspaper. At the time of this writing, DRMS has not yet received the affidavit of publication.

7. Please provide the affidavit of publication.

Attachment 3.4 presents the proof of publication of the original Yoast Mine permit. Other public notices and proof of publications are filed with The Division and at mine site (Twenty Mile).

Rule: 2.04.3 General Requirements: Site Description and Land Use Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 4 of the Permit Application Package.

Rule: 2.04.4 Cultural and Historic Resource Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 5 of the Permit Application Package.

Rule: 2.04.5 General Description of Hydrology and Geology

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volumes 2, 3 and 4, Tabs 6 and 7 of the Permit Application Package.

Rule: 2.04.5 General Geology

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volumes 2, Tab 6 of the Permit Application Package.

Rule: 2.04.7(1) Ground Water Information

2025 April DRMS: DRMS finds this section of the permit **adequate**.

Rule: 2.04.7(2) Surface Water Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volumes 3 Tab 7 of the Permit Application Package.

Rule: 2.04.7(3) Alternative Water Supply Information

2025 April DRMS: DRMS finds this section of the permit **adequate**.

Rule: 2.04.8 Climatological Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. Supporting documentation can be found in Tab 08.

Rule: 2.04.9(1)-(3) Soils Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information required by this rule is discussed in section 2.04.9 of the permit and the supporting data and maps are located in Tab 09 Exhibit 9-1 and Tab 09 addendum's 1-7.

Rule: 2.04.10(1)-(5) Vegetation Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. Supporting maps and data are located in Tab 10, and Tab 10 Exhibit 10-1 through 10-3.

Rule: 2.04.11 (1)-(4) Fish and Wildlife Information

2025 April DRMS: DRMS finds this section of the permit **adequate**. The Threatened and Endangered species discussed in the permit are accurate and up to date. Supporting documentation and data can be found in Tab 11.

Rule: 2.04.12 Prime Farmland Investigation

2025 April DRMS: DRMS finds this section of the permit **adequate**. Supporting documentation can be found in Tab 04.

Rule: 2.05.3(1) Production Methods

2025 April DRMS: DRMS finds this section of the permit **adequate**. Supporting documentation can be found in Tab 04.

Rule: 2.05.3(2) Operation Description

2025 April DRMS: DRMS finds this section of the permit **adequate**. The information regarding this rule is available in Tab 12, entitled Coal Resource Recovery Plan and exhibits 12-1 and 12-1A, Tables 12-1 and 12-2, Figure 12-1, and Attachments 12-1 through 12-4.

Rule: 2.05.3(3) Mine Facilities

2025 April DRMS: DRMS finds this section of the permit **adequate**.

Rule: 2.05.3(4) Ponds

2025 April DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in Tab 13, Facilities, and associated exhibits, Attachments 13-1 through 13-20 Hydrology Design Methods. DRMS finds the SEDCad modeling and the As Built reports **adequate**.

Rule: 2.05.3(5) Topsoil

2025 April DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in Tab 12, Coal Resource Recovery Plan and in Exhibit 12-1A and in Tab 19 Reclamation Timetable.

Rule: 2.05.3(6) Overburden

2025 April DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in Tab 6, Volume 2 Geology and Overburden Assessment and in Appendices 6-1 and 6-2 associated exhibits.

Rule: 2.05.4(2) Reclamation Plan

2025 April DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in Tab 12 and Tab 12 Exhibit 12-1A Topsoil Removal Plan, Tab 19 Reclamation Timetable and in Tab 22 Revegetation Plan.

2.05.4 (2)(b) – Reclamation Cost Estimate

DRMS conducted a reclamation cost estimate for the site and found that the liability to reclaim the Yoast Mine to be \$737,413. The required surety and currently held surety is \$713,491.06. Given this, the bond held is less than the current costs of reclamation at this time and an increase in the reclamation bond of \$23,921.94 is necessary. Attached is a copy of the reclamation cost estimate conducted, including a Cost Summary, Task Summary and CIRCES task sheets.

8. Please procure a **\$23,921.94** increase to the currently held liability.

Rule: 2.05. 6(2) Fish and Wildlife Plan

2025 April DRMS: DRMS finds this section of the permit **adequate. with the exception of the following:**

9. Please verify the Threatened and Endangered Species listed in Tab 11 - Fish and Wildlife Resources Information is up to date with the current list issued by Federal and State agencies in accordance with Rule 2.04.11(4).

Rule 2.05.5(1) Post Mining Land Uses

2025 April DRMS: DRMS finds this section of the permit **adequate**. Supporting documents and data can be found in Tab 4, Tab 7, Tab 9, Tab 10, Tab 11, and Tab 22.

Rule 2.05.6(1) Mitigation of the Impacts of Mining Operations- Air Pollution Control Plan

2025 April DRMS: DRMS finds this section of the permit **adequate**. Supporting Documentation can be found in Tab 24.

Rule 2.05.6(3) Mitigation of the Impacts of Mining Operations-Protection of Hydrologic Balance

10. Please provide a summary of the results of hydrologic monitoring and recent hydrologic reports. In this discussion make explain why or why not the probable hydrological consequences of the PAP are current and accurate.

Rule 2.05.6(4) Mitigation of the Impacts of Mining Operations- Protection of Public Parks and Historic Places.

2025 April DRMS: DRMS finds this section of the permit **adequate**.