



STATE OF
COLORADO

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

RN8 Permit Renewal Seneca IIW

1 message

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

Mon, Aug 11, 2025 at 2:51 PM

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

Good Afternoon Miranda,

Please find The Divisions' preliminary adequacy and reclamation cost estimate for the RN8 permit renewal for the Seneca II W site. Please note the increase in the reclamation costs. The permit expires 31 December 2025.

Thank you

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



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2 attachments

[PrelimADQ Seneca_RN8.pdf](#)
386K

[CIRCES_RN8.pdf](#)
372K



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

11 August 2025

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

RE: Seneca Mine, Permit No. C1982057
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) Seneca IIW Mine permit renewal No. 8, RN8.

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.

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)	2.06.4	2.06.8

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

Rule: 2.03.4 Identification of Interests

2025 August DRMS: The information required by this Rule is located in Volume 1, Tab 3; the Adjudication File, appendix 3- 3, Ownership and Control. portions of this information were updated in, and RN7 (2020). DRMS received returned certified mail from Dave Smith. 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 remains current.
2. Please confirm that the lists of Surface, Coal and Minerals Ownership etc, are up to date (pages 5 through 14).

Rule: 2.03.5 Compliance Information

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

3. Please update relevant pages (including violations pg. 16) to address the current permit term.

Compliance information was revised as per Succession of Operator (SO2) in 2015. No violations have been issued since May 2011.

Rule: 2.03.6 Right of Entry

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 dates to 2020.

2025 August DRMS:

4. Please verify that the ownership and control information 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 August 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 August DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 3.

Rule: 2.03.9 Insurance Information

2025 August 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.

Rule: 2.03.10 Identification of Licenses and Permits

2025 August DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 3 and was updated with RN7 in 2020.

Rule: 2.03.11 Identification of Public Office for Filing

2025 August DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 3 page 15.

Rule: 2.03.12 Proof of Publication

2025 August 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.

6. Please provide the affidavit of publication.

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

2025 August 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 August DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 1, Tab 5, Tab 05, Attachment 1, Addendum1- 4, and Appendix 5- 1 of the Permit Application Package.

Rule: 2.04.5 General Description of Hydrology and Geology

2025 August DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 2 Tab 6 and Volume 2 through 4 Tab 7 of the Permit Application Package.

Rule: 2.04.5 General Geology

2025 August DRMS: DRMS finds this section of the permit **adequate**. The information required by this Rule is located in Volume 2 Tab 6 pages 5 through 40 of the Permit Application Package.

Rule: 2.04.7(1, 2, 3) Ground/Surface Water Information

2025 August DRMS: The information required by this Rule is discussed in Volume 3 Tab 7 pages 5 through 66 for ground water and pages 67 through 1444 for surface water. Alternative water supply information Rule 2. 04.7(3)) was addressed in Tab 16 pages 8 through 13 and Appendix 16- 1. DRMS finds this section of the permit **adequate**.

Rule: 2.04.8 Climatological Information

2025 August DRMS: DRMS finds this section of the permit **adequate**. Supporting documentation can be found in Volume 5 Tab 08.

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

2025 August 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 Volume 5 Tab 09 Exhibits 9-1, 9-3.

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

2025 August DRMS: DRMS finds this section of the permit **adequate**. Supporting maps and data are located in Volume 6 Tab 10, and Tab 10 Exhibits 10-1, 10-3, appendix 10- 1 through 10- 10.

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

2025 August 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 Volume 6 Tab 11, Appendix 11- 1, and Exhibits 11- 1 through 11 - 3.

Rule: 2.04.12 Prime Farmland Investigation

2025 August DRMS: DRMS finds this section of the permit **adequate**. Supporting documentation can be found in Volume 5 Tab 09.

Rule 2.05.5(1) Post Mining Land Uses

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

Rule: 2.05.3(1) Production Methods

2025 August DRMS: DRMS finds this section of the permit **adequate**. Supporting documentation can be found in Volume 7 Tab 12.

Rule: 2.05.3(2) Operation Description

2025 August DRMS: DRMS finds this section of the permit **adequate**. The information regarding this rule is available in Volume 7 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(4) Ponds

2025 August DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in Volume 7 Tabs 13 and 15, and associated exhibits, DRMS finds the SEDCad modeling and the As Built reports **adequate**.

Rule: 2.05.3(5) Topsoil

2025 August DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in Tab 19 Reclamation Schedule and Tab 21 Exhibit 21- 1 Topsoil Replacement.

Rule: 2.05.3(6) Overburden

2025 August DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in various volumes and Tabs 6, 14, 20 and 21 , Volume 2 Geology and Overburden Assessment and in Appendices 6-1, 6-2 and associated exhibits.

Rule: 2.05.4(2) Reclamation Plan

2025 August DRMS: DRMS finds this section of the permit **adequate**. Information related to this rule is found in volumes 12 and 13 Tab 19 Reclamation Schedule and Tab 21 Exhibit 21-Topsoil

Replacement, and Tabs 20, 22 and 23.

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 Seneca II W Mine to be \$394,279. The currently held surety is \$316,698.60. Given this, the bond held is less than the current costs of reclamation at this time and an increase in the reclamation bond of \$77,580.40 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 **\$77,580.40** increase to the currently held liability.

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

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

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

2025 August 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, Appendix 11- 1 *Potential and Observed Species List* is up to date with the current list issued by Federal and State agencies in accordance with Rule 2. 04. 11(4).

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

8. Please provide a summary of the results of hydrologic monitoring and recent hydrologic reports. In this discussion plese 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 August DRMS: DRMS finds this section of the permit **adequate**.

Rule 2. 06.4 Steep Slope Mining

2025 August DRMS: DRMS finds that the Seneca IIW permit does not incorporate mountaintop removal, any specific language regarding steep slope mining or any variances from AOC.

Rule 2. 06.8 Minim and Reclamation in AVFs

2025 August DRMS: DRMS finds this section of the permit **adequate**. Supporting documentation can be found in volume 11 Tab 16, and associated exhibits.