
Twentymile Stoker Haul Road Special Use Permit Renewal

ACTIVITY #: PL20230083

DECISION DATE: Director Decision: 11/15/2023

PETITIONER: Peabody Energy

PETITION: Renewal of SUP PL-18-198 to haul coal with trucks on County Road 27 from the Twentymile/Foidel Creek mine to US Highway 40

LEGAL: TR IN SE4NE4 LYING S OF CO RD 33 AND N OF CO RD 27, TR IN S2NE4NE4, TRS IN S2 LYING S OF CO RD 27 SEC 29-5-86; S2, TRS IN N2 LYING S OF CO RD 27 SEC 31-5-86; S2, S2N2, TRS IN N2N2 LYING S OF CO RD 27 SEC 32-5-86 TOTAL: 1228.91 AC

LOCATION AND HAUL ROUTE: County Road 27 from the Twentymile/Foidel Creek Mine to US 40

AREA: 1228.91 acres (parcel containing mine entrance)

STAFF CONTACT: Michael Fitz – mfitz@co.routt.co.us

ATTACHMENTS:

- Applicant Narrative & Mitigation Plan
- Haul Route Map

History:

The Twentymile coal mine received its first permit to haul stoker coal from its Foidel Creek location, near the intersection of County Roads 27 and 33, in 1996. The permit was amended in 1997, renewed in 2001, amended in 2004, renewed and amended in 2013, amended in 2016, and renewed in 2018. The 2013 amendment increased the amount allowed to be hauled from 360,000 tons to 500,000 tons of coal annually, with 55 truck trips per day. The 2016 amendment allowed for a temporary increase to 60 truck trips until the Sage Creek haul permit could be renewed and issued. As of the 2018 renewal, the current permit again allows for hauling 500,000 tons annually with a maximum of 55 truck trips per day, averaged over a monthly period.

There is one additional permit that allows coal hauling on County Road 27. The Sage Creek mine, also owned by Peabody, has a similar SUP that allows for the trucking of up to 6 million tons, with up to 1.8 million hauled from the Sage Creek mine to the Hayden Station and up to 3 million tons from the Foidel Creek mine to US Highway 40. Up to 6 million tons may be hauled to the Foidel Creek location for washing. The permit allows for up to 343 loads per day to be hauled on County Road 27, which results in 686 trips (back and forth) per day. This permit does not allow for coal to be trucked from the Foidel Creek mine to the Hayden Station, and the Sage Creek Mine is not currently active. A total re-construction of County Road 27 was done in several phases and completed around 2006. As a condition of the Sage Creek haul SUP, a roundabout was installed at the intersection of County Roads 27 and 27A.

The 2018 permit for the Twentymile/Foidel Creek mine included a condition that allowed for administrative renewals if no complaints or concerns are identified. The County has received no

complaints, and Peabody Energy has requested no changes, so this application is for an administrative 5-year renewal.

Site Description:

The haul route is along the re-constructed sections of County Road 27, running from the Twentymile/Foidel Creek mine location north to US Highway 40.

Project Description:

Twentymile would like to renew the existing permit with no changes in conditions of approval. This would allow the continued hauling of a maximum of 500,000 tons per year and 55 truck trips per day. The affected portion of CR 27 is a 14 mile stretch from the Foidel Creek Mine north to US Highway 40. They are currently allowed to haul 7 days a week, 24 hours a day using 35 ton capacity trucks.

Staff Comments:

- Public Works did not indicate any concerns with this application.
- The Hayden School District previously responded that they were ok with the existing condition related to school bus and haul truck conflicts and were ok with the existing plan to avoid these conflicts. They did not provide comments for this renewal.
- Staff reviewed the application for compliance with the existing conditions of approval. No issues were identified. Staff has not received any complaints about trucks associated with this permit. Because of the lack of complaints and compliance with the conditions of approval, staff will renew this permit administratively.
- Since this use has been deemed compatible with the Routt County Master Plan through the approval of previous applications, a review of the compliance with the Master Plan was not done for this review.
- None of the applicable regulations have changed since the last review, however staff has identified, and addressed below, those regulations that continue to be applicable. The new Routt County Master Plan has not changed any policies from the previous Master Plan that would preclude this operation.

Compliance with the Routt County Master Plan, Sub Area Plans and Zoning Regulations

The Routt County Master Plan (Master Plan), Sub Area Plans, and Zoning Regulations contain dozens of land use policies and regulations that are intended to reinforce the guiding principles of the Master Plan. This report categorizes subject matter content that is important to consider when reviewing. The categories include:

1. Health, Safety and Nuisances
2. Regulations and Standards
3. Mining and Related Uses Regulations and Standards
4. Community Character and Visual Issues
5. Roads, Transportation and Site Design
6. Natural Environment
7. Mitigation

Within each category are applicable policies and regulations. Specific Zoning Regulations sections include:

- **Section 5** of the Zoning Regulations are designed to limit or eliminate conditions that could negatively impact the environment and/or use of surrounding properties and shall apply in all Zone Districts and to all land uses unless otherwise noted.
- **Section 6** of the Zoning Regulations contains mitigation techniques and applies to all Minor, Administrative, Conditional or Special Uses allowed by permit only, PUD plans, Site plans, and Subdivisions.
- **Section 9** of the Zoning Regulations applies to all mineral extraction operations and are intended to assist in determining the compatibility with the surrounding uses and appropriate mitigation of potentially significant negative impacts.

Interested parties are encouraged to review the Master Plan, Sub Area plans, and the Zoning Regulations to determine if there are other policies and regulations that may be applicable to the review of this petition.

Planning Staff comments are included in bold at the end of each category and highlight questions and/or comments from the general public, referral agencies, and Planning Staff.

1. Public Health, Safety and Nuisances

Applicable Zoning Regulations

- 5.1.1 Every use shall be operated so that it does not pose a danger to public health, safety or welfare.
- 5.1.2 Every use shall be operated in conformance with all applicable federal, state and local regulations and standards. Failure to comply with any and all applicable federal, state and local regulations and standards may be cause for review and/or revocation of any Land Use Approval granted pursuant to these regulations.
- 6.1.7.C Natural Hazards
- 6.1.7.H Wildland Fire
- 6.1.7.I Noise
- 6.1.7.L Odors
- 6.1.7.M Vibration
- 9.2.D Shall be operated such that noise generated by the use does not exceed State of Colorado residential noise standards within 150 feet of any residence.

Staff comments: It does not appear that this application will pose a danger to the public health, safety, and welfare. Noise from the trucks' engines and braking systems, odors from exhaust, and vibrations are all impacts that are associated with haul trucks. The standard condition concerning conformance with all federal, state, and local laws is suggested. A condition of approval is suggested addressing the noise standard in 9.2.D.

Is the application in compliance with the Policies and Regulations outlined above? **Yes or No

2. Regulations and Standards

Applicable Zoning Regulations

- 6.1.2 The proposal shall be consistent with applicable Master Plans and sub-area plans.
- 6.1.5 The proposal shall meet or exceed accepted industry standards and Best Management Practices (BMP's).
- 9.2.G Shall provide liability insurance in compliance with the County's insurance and surety requirements policy then in effect, to cover any damages to public and private property.

- 9.2.K Routt County requires the use of the most recent technologically advanced and proven procedures and equipment to mitigate the significant negative impacts of mining operations and associated uses.

Staff comments: Through the approval of previous haul permits, the County has deemed this use compatible with the Master Plan, and the new 2022 Routt County Master Plan has not changed to a degree that would affect compatibility. No details on how BMP's will be employed have been submitted. A condition of approval is suggested requiring the most advanced practices.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

3. Miscellaneous Mineral Extraction Regulations and Standards

Applicable Zoning Regulations

All Mining and accessory uses shall comply with the applicable Standards and Mitigation techniques of Section 5 and Section 6 of these Zoning Regulations. In additions, all Mining and accessory uses shall comply with the following standards:

- 9.2.A Shall be compatible with surrounding agricultural, residential, and recreational land uses by selection of location and/or mitigation.
- 9.2.C Equipment used for the operation will not be visible from adjacent or surrounding residences, or will be mitigated to the extent possible to reduce visual impacts. Planning Commission and/or the Board of County Commissioners will determine sufficiency of mitigation.
- 9.2.F Truck traffic will not access the mining operation through residential, or commercial areas, or such traffic will be mitigated. Planning Commission and/or the Board of County Commissioners will determine sufficiency of mitigation.
- 9.2.G Shall provide liability insurance in compliance with the County's insurance and surety requirements policy then in effect, to cover any damages to public and private property.
- 9.2.K Routt County requires the use of the most technologically advanced and proven procedures and equipment to mitigate the significant negative impacts of mining operations and associated uses.

Staff comments: The County has determined that this use at the current level is compatible with the surrounding agricultural and residential uses in the area. There is one other permit that allows hauling of coal on CR 27. The amounts hauled and number of truck trips allowed through the other permit is detailed in the 'History' section of the staff report. It appears that the cumulative impacts to roads, air and water, and residential uses from this permit and the other haul permit are at an acceptable level. Trucks will be visible traveling on the roadway. There is no way of mitigating the visual impact of these trucks.

Truck traffic is not proposed to travel through residential or commercial areas. The Twentymile Mine has dedicated on-ramps and off-ramps on CR 27 for haul truck traffic. A condition addressing insurance is suggested. It does not appear that there are impacts from this application that cannot be mitigated. The proposed route is the shortest between the 2 points. A dedicated roadway for the haul is not proposed.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

4. Community Character and Visual Concerns

Applicable Zoning Regulations

- 6.1.7.G Visual Amenities and Scenic Qualities.
- 6.1.7.K Land Use Compatibility.
- 6.1.7.O Historical Significance.
- 9.2.A Shall be compatible with surrounding agricultural, residential, and recreational land uses by selection of location and/or mitigation.
- 9.2.C Equipment used for the operation will not be visible from adjacent or surrounding residences, or will be mitigated to the extent possible to reduce visual impacts. The Planning Commission and the Board of Commissioners will determine sufficiency of mitigation.

Applicable Master Plan Policies

- 9.3 Discourage development that changes the rural character or historic agricultural uses and/or practices.
- 9.16 Protect unique view corridors with high aesthetic value, including the south valley floor and the Hwy 40 and CR 129 corridors.
- 11.23 Long term mining operations and associated uses should be located in areas where they do not greatly impact scenic vistas, where there are compatible agricultural and industrial uses, and where they are not in proximity to residential neighborhoods, recreational, or other incompatible uses. Areas with parcels of 35 acres and greater are not considered residential neighborhoods.

Staff comments: Although there are no permanent facilities associated with this application, the applicant is proposing approximately 2.75 truck trips per hour. This amount of traffic may impact the visual and scenic qualities of Twentymile park. Most of the uses in this area are agricultural and residential in nature, however this area has a long history of mining coal. In more recent times, most coal has transported by trains, not by truck.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

5. Roads, Transportation and Site Design**Applicable Zoning Regulations**

- 5.7 Right of Way Access Standards: A Right of Way Access Permit is required prior to construction of any new access point onto a County Road or other Local Public Road or Right of Way.
- 6.1.7.A Public Roads, Services and Infrastructure
- 6.1.7.B Road Capacity, traffic, and traffic safety
- 6.2.4.B Projects shall mitigate their impacts to public roads such that all public roads used for access to a project or development will remain in as good as or better than existing condition.
- 6.2.4.E Requirements for repairs, upgrades, development, and maintenance of public roads may be included as a condition of any Land Use Approval. Such roadwork will be at the proponent's expense, unless otherwise determined by the Board of County Commissioners.
- 6.2.4.I Acceleration/deceleration lanes shall be developed as required by the Colorado Department of Transportation (CDOT) and/or the Routt County Road and Bridge Department. A review of the CDOT or County Access Permit will be requested by the County based upon complaints, hazardous conditions, accident records, pertinent new information, or any other concerns or changes in the area or use that may affect traffic to and from the project.

- 6.2.4.N Project shall be designed to prevent cumulative impacts of haul trucks along county roads.
- 6.2.4.O Projects may be required to limit hours of operation to minimize conflicts with peak traffic hours and school bus hours.
- 6.2.4.Q Project may be required to route haul trucks to prevent significant impacts to commercial, residential, or recreation areas and/or prevent significant impacts to sensitive wildlife areas.
- 9.2.F Truck traffic will not access the mining operation through residential or commercial areas, or such traffic will be mitigated. Planning Commission and the Board of Commissioners will determine sufficiency of mitigation.

Applicable Master Plan Policies

- 7.15 Ensure that future development occurs where roads can accommodate projected traffic volumes and patterns.
- 11.20 Encourage the minimization of haul distances for mining extractions.

Staff comments: Access to and from County Road 27 at the mine has valid access permits. No new roads are proposed with this application. Previous application materials contain a road engineering study which looked at multiple facets of the roadway, including construction and design. This study states that based on the design and construction of the road and the existing haul permits, there is adequate capacity to handle the proposed amount of traffic. Conditions of approval are suggested that address the standards found in Section 6.2.

*****Is the application in compliance with the Policies and Regulations outlined above? Yes or No***

6. Natural Environment

Applicable Zoning Regulations

- 6.1.7.D Wildlife and Wildlife Habitat.
- 6.1.7.F Air Quality.

Applicable Master Plan Policies

- 4.5 Apply best practices and data to inform decisions impacting sensitive ecological and wildlife areas throughout the County.
- 11.3 Protect wildlife species and their habitats.
- 11.6 Consider impacts on wildlife before approving new recreational uses, residential developments, and other developments and permits.

Staff comments: Although truck and wildlife conflict is always a concern with these types of applications, the number of trucks this will put on the road does not appear to create significant impacts to wildlife. County Road 27 is a public road with existing traffic patterns, including the existing haul permits, and this application does not propose any changes. Impacts to air quality are a concern with this application. A condition of approval is suggested that addresses air emissions and requires the permittee to obtain all necessary permits. It does not appear that degradation of the environment will occur with this application.

*****Is the application in compliance with the Policies and Regulations outlined above? Yes or No***

7. Mitigation Techniques

Applicable Zoning Regulations

Mitigation Techniques to Reduce Noise Impacts:

- 6.10.A Limit hours of operation
- 6.10.B Limit hours and days of equipment operation to reduce noise effects to adjacent or nearby residents.
- 6.10.C Limit hours of hauling.
- 6.10.P Eliminate or reduce the use of compression “jake” brakes on haul trucks, when possible, at the entries of or within sites located near residential areas.
- 6.10.R Limit traffic generation and/or provide customer shuttles.

Mitigation Techniques to Reduce Impacts to Residential and Recreational Uses:

- 6.13.C Practice continued mitigation of noise, dust, and other environmental impacts.

Staff comments: The Planning Director has the ability to limit the amount of coal hauled, the time it is hauled, the days that it is hauled, types of vehicles used, etc. These restrictions are not in place on the current permit. Because of the lack of complaints and compliance with the existing conditions these types of restrictions are not being suggested.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

Planning Director's Options

1. **Approve the Special Use Permit request without conditions** if it is determined that the petition will not adversely affect the public health, safety, and welfare and the proposed use is compatible with the immediately adjacent and nearby neighborhood properties and uses and the proposal is in compliance with the Routt County Zoning Regulations and complies with the guidelines of the Routt County Master Plan and sub area plans.
2. **Deny the Special Use Permit request** if it is determined that the petition will adversely affect the public health, safety, and welfare and/or the proposed use is not compatible with the immediately adjacent and nearby neighborhood properties and uses and/or the proposed use is not in compliance with the Routt County Zoning Regulations and/or the Routt County Master Plan and sub area plans. Make specific findings of fact; cite specific regulations or policies by number from the Routt County Master Plan and the Routt County Zoning Regulations.
3. **Table the Special Use Permit request** if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.
4. **Approve the Special Use Permit request with conditions and/or performance standards** if it is determined that certain conditions and/or performance standards are necessary to ensure public, health, safety, and welfare and/or make the use compatible with immediately adjacent and neighborhood properties and uses and/or bring the proposal into compliance with the Routt County Zoning Regulations and Routt County Master Plan and sub area plans.

Findings of Fact

Findings of Fact that may be appropriate if the Special Use Permit is **approved**:

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, 6 and 9 of the Routt County Zoning Regulations.
2. No complaints or concerns have been identified through review of this permit.

3. The Special Use Permit with the following conditions will not adversely affect the public health, safety, and welfare.

Conditions

Conditions that may be appropriate include the following:

General Conditions:

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, 6 and 9.
2. ~~The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.~~ **The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application. Minor amendments may be approved by the Planning Director subject to Section 3.2.10 of the Zoning Regulations.**
3. Any complaints or concerns which may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. This permit is contingent upon any required federal, state, and local permits being obtained and complied with. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations. The operation shall comply with all Federal, State and local laws.
6. ~~Prior to issuance of the permit, Permittee shall provide evidence of liability insurance in the amount of no less than \$1,000,000 per occurrence. Routt County shall be named as an additional insured on the policy. Permittee shall notify Routt County Planning Department of any claims made against the policy. Certificate of liability insurance shall include all permit numbers associated with the activity.~~ **Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.**
7. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
8. **Permits will be assessed an Annual Fee in accordance with the Fee Schedule in Appendix B of the Routt County Zoning Regulations.**
9. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. if transferee is not the landowner of the permitted area, Transferee shall submit written consent to the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
10. ~~The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weeds Act as amended in 2013 and Routt County Noxious Weed Management Plan.~~ **The permittee shall prevent the spread of weeds to surrounding lands, and comply with the most current version of the Colorado Noxious Weed Act and Routt County regulations for noxious weeds. A weed mitigation plan shall be developed**

by the Permittee and reviewed and approved by the Weed Supervisor prior to issuance of the Special Use Permit.

Specific Conditions:

10. This permit is intended to replace SUP No. ~~PL-16-62~~ **PL-18-198**. Until such time as this permit has been issued that permit shall remain in full force and effect. SUP No. ~~PL-16-62~~ **PL-18-198** shall expire at such time this permit is issued.
11. The Special Use Permit is valid until December 31, ~~2023~~ **2028** provided it is acted upon within one year of approval.
12. If no complaints or concerns are identified, this permit may be renewed administratively.
13. This SUP allows for the hauling of up to a maximum average of 500,000 tons of coal annually from Twentymile Coal to US Highway 40. This permit does not cover hauling to the Hayden Power Plant and, if such is desired, another SUP will be required.
14. The total trips per day, averaged monthly, shall not exceed a maximum of fifty-five (55). If the number of round trips exceed sixty (60) in any 24-hour period, Twentymile Coal Company shall contact the Routt County Planning Director for administrative approval.
15. Permittee shall submit to the Planning Department a report of tonnage hauled under this permit annually.

Road Conditions:

16. When bussing of students on regularly scheduled routes on County Road 27 becomes necessary, the hauling of coal during school bus hours shall not occur until negotiated and agreed upon by the permittee and the Hayden School District, and approved by the Planning Director, as to safety measures to be taken.
17. Hauling is limited to the use of up to 35 ton capacity trucks. Permittee shall obtain any required over-length and over-weight permits from the Routt County Road and Bridge Department prior to hauling.
18. Routt County has the authority to close any county road at its sole discretion if damage to the road may occur by its use. To the extent that a road closure may affect permittee's operations, Routt County will cooperate with permittee to allow operations to be continued in a safe and practicable stopping point, and/or to jointly develop a solution that will address continuation of operations and any associated issues related to the road.
19. All trucks will be covered and follow posted speed limits. All trucks shall be equipped with speed-monitoring technology to ensure that posted speed limits are followed. Violations of the covered load and speed limit requirements by trucks subject to this permit will be reported to the County by the permittee, which may cause the review and amendment or revocation of the SUP for this use.
20. Permittee shall be required to pay for ongoing road maintenance and repair, including semi-annual striping of the road, and will share in the cost of road maintenance based on the previous year's actual truck usage and tonnage hauled of all outstanding Special Use Permits for hauling on County Road 27. Routt County Road and Bridge Director shall determine requirements for timing and method of payment.
21. Permittee shall be responsible for any additional winter maintenance and other regular road maintenance desired by the County, and shall obtain all necessary permits and agreements to do so. At a minimum, this will include responsibility for road maintenance between 6 p.m. and 6 a.m. The permittee may be required to enter into a supplemental road maintenance agreement with the County to satisfy this condition.
22. Permittee shall communicate and resolve issues with the repair and clean-up of any spill or damage in a timely manner in agreement with affected parties. Any spill or road damage shall be reported to the Routt County Road and Bridge Department within three days of occurrence.
23. Any accidents or citations involving trucks covered by this permit shall be reported to the Routt County Planning Department within 3 days.

24. All trucks shall be equipped with Best Available Technologies for muffling of noise from engine brakes. All such equipment shall be maintained in good working order.
25. All tractors and trailers will be clearly numbered for easy identification. At a minimum, the tractors shall be numbered on both sides, and the trailers shall be numbered on both sides and the back.
26. Routt County roads affected by this SUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the County, or a third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Road and Bridge shall inform Permittee of such maintenance or repair activities prior to work being performed. Permittee shall solely bear the costs of repairs.
27. Permittee shall maintain access roads affected by this SUP during the life of the Operations. Maintenance may include grading and graveling or paving roadways, sweeping or cleaning access points, and application of a dust palliative as approved by the Routt County Road and Bridge Director and RCDEH.
28. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance (if possible), who may then require:
 - a. The Permittee or Permittee's contractor/sub-contractor to place traffic control signage along access routes and at intersections as specified by the Routt County Road and Bridge Director and at Permittee's expense; and types and placement of signs shall be in conformance with the MUTCD.
 - b. Flaggers to be placed at the intersections of affected county roads as specified by the Routt County Road and Bridge Director and at Permittee's expense.

I hereby approve this Twentymile Stoker Haul Road Special Use Permit Renewal



Kristy Winser, Planning Director

November 15, 2023

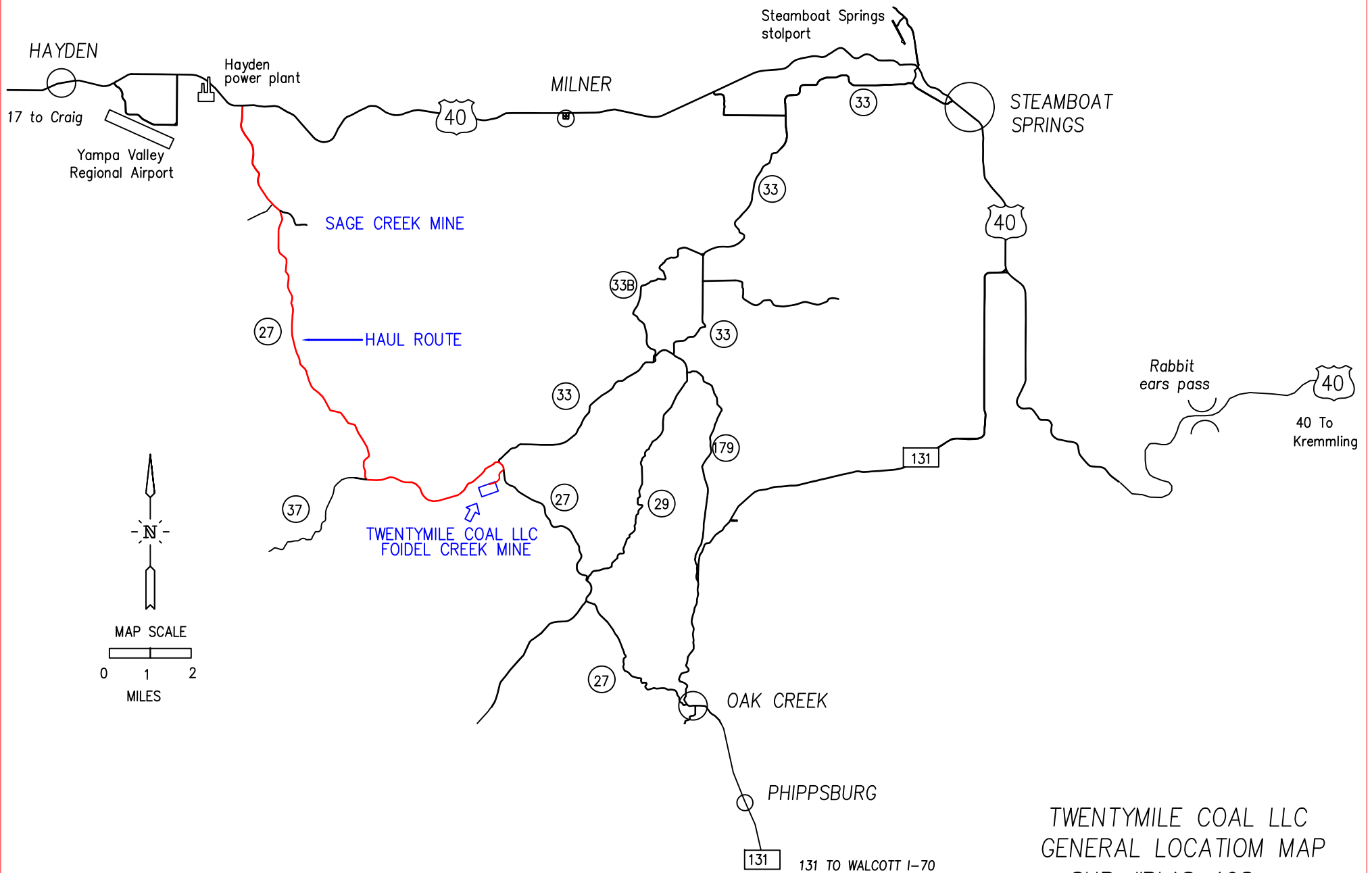
Date

Twentymile Coal, LLC
Renewal/Extension for Existing Special Use
Permit No. PL-18-198

1. **Haul Route and Anticipated Traffic:** The renewal of this SUP would allow the continued use of Routt County Road 27 from the Foidel Creek Mine entrance (0.25 miles south of intersection of CR27 and CR33) in Section 28, Township 5 North, Range 86 West, to its intersection with U.S. Highway 40 to transport coal. Highway-legal tractor-trailer trucks will be used to transport the coal from the Mine's load-out facility to US Highway 40. No trucks will exceed the legal limit of 110,000 lbs loaded.
TC anticipates producing and shipping by truck no more than 2.5 million tons during the five year term of the extended permit. Production would be from the Foidel Creek Mine, Twentymile Loadout facilities. At this rate Twentymile would not exceed the current permit terms of 55 truck trips per day.
The proposed maximum annual truck haulage tonnage of 500,000 total tons, under the Permit renewal/extension is approximately 20 percent of the projected average annual shipments. The remaining tons are shipped by rail to local and out-of-state customers. Although the 500,000 tons covered by this Permit is only a portion of total production, in today's challenging economic and coal market conditions, it is an important component and factor in maintaining production levels, employment, profitability, and viability for TC's operations over the long-term.
2. **Dust & Air Pollution Control Plan:** In conjunction with the current SUP and DOT regulations, all loaded haulers are required to tarp their loads before leaving the mine site. This reduces any coal dust that may draft from the trucks on the haul route and reduces the potential for any loose coal to cause any safety concerns to other drivers on the route. Drivers will also be required to have electronic loggers that records and ensures the speed limit is being obeyed.
Dust mitigations are also in place during the loading of the trucks for the safety of the drivers and surrounding workforce. Water sprays and a wet scrubber unit is in place to filter and remove dust from the stoker loadout facility.
3. **Emergency Response and Fire Plan:** In the event of an emergency while on the haul route, Local Authorities will be called to handle to situation. Twentymile works closely with West Routt Fire district and has a fire plan in place if a fire were to break out near the mine site. If the incident is in close proximity or on the mine property the Twentymile fire brigade team will also respond to the incident. All incidents related to this haul will be reported to Routt County Planning within 3 days.
In the event of a coal spill on the haul route Twentymile will coordinate clearing of the road ASAP and the spill will be cleaned up and hauled off.
4. **Water Pollution Control Measures:** Although not relative to the haul route, which is managed by Routt County Road & Bridge, runoff and mine water discharges are passed through sedimentation ponds or treatment facilities prior to discharge at the mine site.

Small areas not within a controlled drainage area use Best Management Practices to treat water, i.e. include rock check-dams, vegetative filters, straw bales, silt fences and sediment traps.

5. **Noise Mitigation**: As stated in the current SUP, all trucks hauling coal per the SUP are required to be equipped with “Best Available Technologies” for muffling noise from engine brakes.
6. **Mitigation Plan (per Zoning Regulations)**: Twentymile Coal, LLC’s (TC) operations are located in a rural area zoned “Coal Mining”, which allows for the mining of coal and all related ancillary operations, and Agricultural/Forestry. TC submits that the Coal Mining zoning designation inherently includes the right to mine coal and ship it to its customers by rail and/or by truck. TC also submits that this existing right and the existence of past, present, and ongoing coal mining and transport activities have established a reasonable precedent that should be recognized as an existing condition by current and prospective future residents of the area. The coal haulage route falls within the “Agricultural/Forestry” zone and has limited residents residing on the haul route. Twentymile pays for ongoing maintenance and repair of RCR27 on an annual basis to offset the use and wear by the tractor/trailer trucks hauling coal.
 - a. Since 1996, Twentymile has provided approximately \$2.7 million for the partial reconstruction and upgrade of RCR27, spent \$2.1 million for a new roundabout on RCR27 at our Sage Creek Portal location, and in recent years, has paid the County an average of over \$60,000 annually to fund any incremental maintenance required due to the truck haul.



TWENTYMILE COAL LLC
GENERAL LOCATION MAP
SUP #PL18-198