

March 17, 2025

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Subject: RE: Summary of Discussion & Requests/Re: Reserve Silica at 10/7/24 GMVUAC Mo Mtg [UPDATE]

Ty,

Thank you for your March 7, 2025, e-mail providing response to our October 18, 2024, e-mail and **Reserve Silica Ongoing Discussion KC DLS-P and GMVUAC** Table.

Although we are disappointed your response did not address some of the questions/requests noted in our October 18 Table, we remain hopeful the extensive material submitted by Reserve Silica since last July will address many of those questions and look forward to having access to that information as soon as practical.

In the interest of not losing sight of either DLS-P's or GMVUAC's responses over these many months, we have updated the October 18 Table (see attached) to reflect responses provided in your March 7 e-mail (column 4) and our Response / Requests (column 5). This now 11-pg table has a lot of information in it, as we want to be as complete as we can on this very long-term, complex issue and to help maintain a Public Record for the benefit of all.

In your email, you offered to address "*any succinct or specific questions.*" To that end, below are our main **Questions (in bold)**:

1. **OPERATING PERMIT:** You indicate the Reserve Silica operating permit expired February 28, 2025, and will not be extended until KC DLS-Permitting has had an opportunity to review the submitted documents in the coming months. You also make a distinction between "*extending*" (renewing) the existing permit and "*expanding*" the permit to include dumping and road work in the clearcut area.  
**Q1a. Does this mean Reserve Silica is currently shut-down? If not shut down, under what permit is it continuing to operate?**  
**Q1b. When will the documents submitted for permit "*extension*" be released for Public Review? Will there be a formal Public Comment period before a decision is made on "*extending*" the operating permit?**
2. **CLEARCUT:** You confirm earlier statements that the "*expansion*" (clearcut) areas "*lack any documentation of approval and an approved reclamation plan*" and such a proposed expansion will require further SEPA review and a public notice and comment period. This is most welcomed, thank you.  
**Q2a: When (approx.) did Reserve Silica cease dumping/road work on the clearcut?**  
**Q2b Are we correct in assuming that no further dumping or road building will occur on the clearcut site until: i. This review process is completed; ii. A new reclamation plan is approved; and iii. A new operating permit is issued for dumping/road work in the clearcut area (or the existing permit is expanded to cover this area)?**
3. **EXPANSION:** Regarding "*expansion*," we have a major concern, since the only permitted disposal site on the property is the inert waste site. Compelling evidence shows that far more fill volume *already* is on-site than is needed to complete filling of the inert waste dumping site—our multiple concerns over the past eight years about this apparent *overflowing* situation have never been refuted.  
**Q3a. What is Reserve Silica's rationale for requesting an "*expansion*" of dumping onto the clearcut area?**

**Q3b. Given that “reclamation” has been ongoing for over 20 years, how much longer is the proposed “expansion” expected to extend the completion of required “reclamation”? Is there any expectation the property is being reclaimed for anything other than forestry use ?**

4. PERMIT CONDITIONS / PLAN OF OPERATIONS: Permit Conditions are to be attached to each permit, and signed off by the permit holder on each renewal. But our 2023 Public Records Request going back to 2015 turned up no statement of Permit Conditions, whatsoever. In fact, DLS-P concurred it could find no Permit Conditions in its files. Code Enforcement manager, Thomas Campbell, reported on 5/12/23 that Teddy Taddese was working to develop a list of conditions for Reserve Silica’s permit, and that he would keep us “*updated with the list of permit conditions ... in the near future.*” But we have never seen Teddy’s list of Permit Conditions.

**Q4a. Does DLS-P have a formal set of Permit Conditions for the existing permit ?**

**Q4b. Does DLS-P have copies of Reserve Silica’s past “Plan of Operations” reports ? If so, why don’t “Plan of Operations” documents show up in DLS-Permitting’s files, e.g., no such reports showed up in our Public Records Request that generated over 2,000 pp of documents going back to 2015 ?** [Note: Reserve Silica has told us it develops a “Plan of Operations” document for the reclamation of this site, and annually updates it. In the absence of any historic Permit Conditions, perhaps such “Plan of Operations” documents would be helpful in understanding the history of this site.]

We believe there are a couple of facts on which we can all agree—please let us know if you disagree:

1. The Reserve Silica property is NOT a commercial landfill site — for either “*clean fill*” or inert waste, but a former mining site that legally must (as much as is still practical) be reclaimed to Forestry/Open Space, as required by KC Code **Title 21A.22.081.C.2.a** (conveyed by DPER Product Line Manager-Resource, Randy Sandin, on 10/9/17).
2. There already is MORE THAN ENOUGH fill on-site to “*reclaim*” any old mining sites, including the ONLY two approved fill pits (Upper and Lower), as well as any old coal mine sites on the property (“*reclamation*” needs for any old coal mining sites on the clearcut area appear to be minimal).

We are most anxious to see the extensive material Reserve Silica has submitted since last July (2024), and do hope these answer many of the questions/issues summarized in the attached Table. We also sincerely appreciate whatever you can do to accelerate our gaining access this material. We are particularly interested in Reserve Silica’s proposal for an updated *Reclamation Plan* for the property, and its assessment of additional “*reclamation*” work needed on the clearcut site.

If it would help, we would be happy to come visit your office and copy/scan/photo any available documents to which we refer to herein to accelerate the process and to ease the burden on your and your staff.

Thank you.

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