



COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

August 1, 2016

Mr. Raymond Lazuk
Environmental Manager
Climax Molybdenum Company
11236 Hwy 91 - Fremont Pass
Climax, Colorado 80429

RE: Accepted Climax Mine Crusher Adit Vent Raise (CAVR) Asbestos Disposal Site Exemption
from Environmental Covenant Requirement
SW/LAK/CLI 2.4

Dear Mr. Lazuk,

The Colorado Department of Public Health and Environment ("Department") Hazardous Materials and Waste Management Division ("Division") has received the following response letter ("Response Letter") for the Climax Mine ("Facility") located in Climax, Colorado.

Re: Climax Mine Crusher Adit Vent Raise (CAVR) Asbestos Disposal Site Exemption from Environmental Covenant Requirement. Prepared by: Climax Molybdenum, A Freeport-McMoRan Company. Document dated: June 22, 2016. Document received: June 22, 2016.

The Response Letter was prepared in response to the Division's May 16, 2016 *Approval with Condition: Closure Report for Climax Mine Crusher Adit Vent Raise (CAVR) Asbestos Disposal Shaft* letter ("May 16 letter"). The Division's May 16 letter indicated that that the Facility was required to submit a signed environmental covenant for the asbestos waste buried-in-place. The Response Letter submitted by the Facility describes how "*A remedial decision regarding the CAVR asbestos disposal site was made prior to July 1, 2001, therefore the project is exempt from the environmental covenant requirements, as stated in C.R.S. 25-15-320(2)*" and included supporting documentation including correspondence from the Facility dated July 7, 1988 and from the Division dated September 14, 1988.

The Division reviewed the above referenced Response Letter, including attachments, and also conducted a site visit at the Facility on July 18, 2016. Based on the information provided to the Division, the Division concurs with the Facility that a remedial decision was made prior to July 1, 2001, and therefore the project is exempt from environmental covenant requirements. Therefore, the Division waives the condition of approval described in the Division's May 16 letter and the Division considers the Closure Report for the CAVR, dated May 11, 2016, approved.

Note that the Department is authorized to bill for its review of technical submittals pursuant to Section 1.7 of the Regulations. An invoice for the Division's review of the above referenced document will be



transmitted under separate cover. Our billing ceilings may be viewed online at
<https://www.colorado.gov/pacific/cdphe/solid-waste-regulations>.

Should you have any questions regarding determination made herein contact Heather Barbare at 303-692-6346 or by email at heather.barbare@state.co.us.

Sincerely,



Heather Barbare, CHMM
Environmental Protection Specialist
Solid Waste Permitting Unit
Hazardous Materials and Waste Management Division



Jerry Henderson
Unit Leader
Solid Waste Permitting Unit
Hazardous Materials and Waste Management Division

cc: Aaron Hilshorst, Climax
Eric Scott, DMRS
Jason King, Colorado Attorney General's Office
Jackie Littlepage, Lake County Public Health Agency