



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

1313 Sherman Street, Room 215  
Denver, CO 80203

June 27, 2017

Ben Langenfeld  
Greg Lewicki and Associates  
3375 W. Powers Circle  
Littleton, CO 80123

RE: Fairplay Au Pit; DRMS File No. M-1991-037; Adequacy Review No. 3 (CN01)

Dear Mr. Langenfeld,

The Division has identified several other comments and questions that must be addressed prior to the Division's decision due date. **Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application.**

1. The Applicant has stated fuel will be stored within secondary containment capable of holding 110% of the largest container. To clarify, the secondary containment must be capable of holding 110% of the total volume of all containers to be stored. In addition, please specify the type of secondary containment which will be utilized.
2. The revised maps (C-1, C-2, F-1) depict the 30.7 acres of affected land. However, the proposed area of affected land omits an area of the current permit boundary which has been disturbed by mining operations. Specifically, the location of the pump along the Middle Fork of the South Platte River (river) as well as the access road leading to the pump, have been omitted from the proposed area of affected land. Please revise the maps so that this area is included within the 30.7 acres of affected land.
3. Please clarify if the Operator will continue to pump water from the river in addition to drawing water from the Platte City Mining Ditch.
4. The revised maps (C-1, C-2, F-1) show the 100 year floodplain of the river extends into Phases 1 and 2. The Applicant has not demonstrated how disturbances to the prevailing hydrologic balance of the affected land and of the surrounding area and to the quantity or quality of water in surface and groundwater systems both during and after the mining operation will be minimized as required by Rule 3.1.6.



The Applicant shall provide a flood impact analysis to quantify the velocity and volume of flows expected on site from a 100 year flood event. The Applicant will need to assess how much of the pit within the floodplain will be flooded, how the flood waters will be safely returned back to the main channel of river, and how the pit-side banks will be protected from excessive erosion. The flood control plan should address mitigation measures including pit side armoring or other appropriate measures. Adjacent mining operations have minimized impacts to the prevailing hydrologic balance by providing commitments to not mine within the 100 year floodplain and to conduct mining no closer than within 100 feet of the river.

5. The Applicant indicated a revised Exhibit H was attached to the Preliminary Adequacy Review Response letter dated June 19, 2017. A revised Exhibit H was not attached to the submittal. Please respond.
6. The Applicant indicated a revised Exhibit L was attached to the Preliminary Adequacy Review Response letter dated June 19, 2017. A revised Exhibit L was not attached to the submittal. Please respond.
7. The Applicant has stated a CDPHE Discharge Permit may be necessary. As required by Rule 6.4.13, the Applicant is to provide a statement identifying the permits the Applicant/Operator holds or will be seeking in order to conduct the mining and reclamation operations. Please revise Exhibit M to include an affirmative statement that a CDPHE Discharge Permit will be obtained.
8. The Applicant has indicated temporary sediment control, such as silt fencing will be used as necessary along the north portions of Phase 1A and Phase 2. Please provide a commitment to install silt fencing along the entire length of Phase 1A and Phase 2 and commit to maintaining the silt fencing until such time as reclamation is complete including the establishment of vegetation. Finally, commit to installing the silt fence in Phase 1A upon approval of the Conversion Application and commit to installing the silt fence in Phase 2 before mining progresses into this phase.
9. The Applicant has revised the number of mining phases which will be conducted on Table D-1. Please revise the corresponding mining phases on Tables D-2 and D-3.
10. Map C-2 states the existing access road will be used throughout the life of the mine. However, mining Phase 1B encompasses a portion of the existing access road. Please clarify how the access road will be maintained as mining progress through Phase 1B.
11. Map C-2 shows that the wash pond and water holding ponds, which are currently outside of the 8 acre permit boundary will not be mined through. In addition, Map F-1 shows the wash pond and water holding ponds will remain after reclamation. The wash pond is considered to be affected area and must be reclaimed. The water holding ponds existed prior to the issuance of the current Reclamation Permit. However, the area surrounding them has been disturbed

through the removal of trees and stockpiling of soil. At a minimum, the area surrounding the wash ponds must be reclaimed. Please revise Map C-2 and Map F-1 accordingly.

12. Map F-1 contains a symbol for the fuel storage area. Please revise Map F-1 to show the fuel storage area will not remain after final reclamation.
13. The Platte City Mining Ditch is not depicted in Phase 3. Please revise Map F-1 to show the location of the Platte City Mining Ditch following final reclamation.
14. The revised Mining Plan states final mining slopes will be at 2H:1V as shown on Map C-2. Map C-2 shows the full extent of the phases will be mined at 2H:1V. Please describe how the final slopes of 3H:1V will be achieved. If the phases are mined to their full extent, then the Operator would need to push overburden onto the mine slopes to achieve the final grade.
15. The Mining Plan states pit walls will be mined vertically and will then transition to 2H:1V and finally to 3H:1V. The Applicant has not provided any information on when the transition of grades will occur. In absence of this information, the Division must assume the worst case scenario for disturbance at the mine will include reclaiming vertical pit walls. Please ensure the financial warranty calculation accounts for reclaiming vertical pit walls.
16. The Applicant has provided proof that structure agreements were provided to all owners of permanent man-made structures within 200 feet of the affected area. In the event the Applicant is unable to obtain all of the structure agreements, the Division will defer to the stability analysis pursuant to Rule 6.4.20(b). The stability analysis shows the factor of safety is 3.0, which is acceptable. However, the factor of safety was based on mine slopes of 3H:1V. The Mining Plan specifies pit walls will be mined vertically and will transition to 2H:1V and finally to 3H:1V. The Applicant has not specified when the transition of the pit slopes will occur in relation to permanent man-made structures (see additional comments under Item No. 15). In the absence of additional information on the transition of pit slopes, the stability analysis will need to demonstrate an adequate factor of safety for vertical pit slopes.
17. The Applicant has committed to amending the wash fines which are to be used as a topsoil substitute. Please ensure the cost of amendments are included in the financial warranty calculation.
18. On May 26, 2017, the Division approved Technical Revision No. 5 which allowed for the installation of a liner in the water handling pond. Please clarify if the water handling pond which will be relocated to Phase 3 will be lined. If so, confirm the liner type and installation method will be the same as what was approved under Technical Revision No. 5.

Mr. Langenfeld

Page 4

June 27, 2017

As previously mentioned, if you are unable to provide satisfactory responses to any inadequacies prior to July 31, 2017, it will be your responsibility to request an extension of time to allow for continued review of this application. If there are still unresolved issues when the decision date arrives and no extension has been requested, the application will be denied.

If you have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in blue ink, appearing to read "M.A. Cunningham".

Michael A. Cunningham  
Environmental Protection Specialist

CC: Wally Erickson, DRMS  
Lance Baller, High Speed Mining, LLC