



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

July 18, 2018

Mr. Mike Schaffner
Cripple Creek & Victor Gold Mining Company
P. O. Box 191
Victor, CO 80860

**Re: Cripple Creek & Victor Mining, Co., Cresson Project, M-1980-244;
Review of Response to Comments on Record of Construction Report, VLF2
Recertification Report, Subgrade and Geomembrane 9650 – 9750' Elevations.**

Dear Mr. Schaffner:

The Division of Reclamation, Mining and Safety (Division) has completed the review of the responses to the Division's comments on Construction Report, VLF2 Recertification Report, Subgrade and Geomembrane 9650 – 9750' Elevations dated July 3, 2018. We received the responses via email on July 17, 2018. These comments reflect the Division's concerns as it relates to Rule 7.3.2(2) of Mineral Rules and Regulations of The Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations (requiring the Operator to provide a certified verification by a professional engineer intended to confirm that the facility was repaired in accordance with the originally approved designs and specifications). The following summarizes the Division's review of the responses received. Any remaining issues must be resolved prior to the Division accepting the submitted report:

Report text:

1. Sect 3.4.1 SLF Testing: The response stating the approach taken is acceptable practice was deemed unacceptable. Subsequent meetings and telephone conversations between the Division and CC&V arrived at an agreed upon approach to perform 3 or 4 density tests (per ASTM D6938) on the area under where approximately 32,000 square feet of geomembrane liner was damaged. The agreed upon approach consists of selecting 3 or 4 locations within the designated area to obtain sufficient spacing to obtain representative sample locations; pothole the DCF (as done for the original liner damage field investigation); cut a small hole in the repaired geomembrane liner large enough for the required density test; perform the test; patch the hole with appropriate CQA oversight; and backfill the DCF. All steps need to be documented with appropriate test results in a to be submitted addendum to the July 3, 2018 repair effort CQA report. The addendum should further explain the density tests were performed only in the area under which the geomembrane liner was found to be damaged



and provide a drawing showing the surveyed limits of the damage along with the locations where the density test were performed.

Appendices

2. Appendix D.3 80 mil LLDPE DSMS Geomembrane Roll QC Certificates

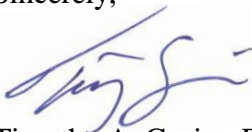
- i. The response was adequate.
- ii. The response was adequate.

Pursuant to Rule 7.3.1(5), no chemicals used in the extractive metallurgical process or toxic or acid-forming materials ... shall be placed in constructed facilities until the Board or Office accepts the certification of the facility, or phase thereof, that precedes placement.

The Division will commence review of the Record of Construction Report, VLF2 Recertification Report, Drain Cover Fill 9650 – 9750' Elevations received July 11, 2018

If you have any questions or need further information, please contact me at (303)866-3567 x8169.

Sincerely,



Timothy A. Cazier, P.E.
Environmental Protection Specialist

ec: Russ Means, DRMS
Michael Cunningham, DRMS
Amy Eschberger, DRMS
Elliott Russell, DRMS
DRMS file
Meg Burt, CC&V
Justin Bills, CC&V