



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

November 20, 2018

Harriet Graham  
Bad Boys of Cripple Creek Mining Co., Inc.  
1429 Locust Drive  
Canon City, CO 81212

**RE: Adequacy Review #2, 110(2) Hardrock Amendment Application (AM-01)  
Bad Boys Pit, Permit No. M-1996-081**

Dear Harriet Graham,

The Division has reviewed the content of your responses to the Division's October 15, 2018 adequacy review, to your 110(2) Amendment Application (AM-01) for the Bad Boys Pit, Permit No. M-1996-081, and submits the following comments. **The Division is required to make an approval or denial decision no later than November 21, 2018; therefore, a response to the following adequacy review concerns should be submitted to the Division as soon as possible. If more time is needed to complete the reply, the Division can grant an extension to the decision date following a request from the Applicant.** Please respond to this Adequacy Review with the requested information and summarize each response to the numbered items below, in a cover letter titled "Adequacy Review Response #2 AM-01. M-1996-081".

The review consisted of comparing the application content with specific requirements of Rules 1, 3, 6.1, 6.2, and 6.3 of the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations. Any inadequacies are identified under the respective exhibit heading.

### **GENERAL APPLICATION PROCEDURES**

19. As required by Rule 1.6.2, please submit proof of the notice to Wallace Burtis. Proof of notice may be return receipts of a Certified Mailing (aka the green card) or by proof of personal service.
20. The Division received additional comments from the Division of Water Resources and History Colorado regarding the application. These letters are attached for your review. Please acknowledge and address any comments noted in the letters and make changes to the application as necessary.

### **6.3 SPECIFIC PERMIT APPLICATION EXHIBIT REQUIREMENTS –110 LIMITED OPERATIONS**

#### **EXHIBIT B - Site Description (Rule 6.3.2)**

21. In accordance with Rule 6.3.2(2) please provide a description of the vegetation in the area of the proposed operation.



22. In response to Adequacy Item #6, the Applicant submitted an updated Soil Report which shows the site only includes Soil Map Unit 82 (Quander-Bushpark). Please provide the soil unit description print out for Soil Map Unit 82.

**EXHIBIT D - Reclamation Plan (Rule 6.3.4)**

23. The Division has completed the Financial Warranty calculation for the operation based on the proposed Mining and Reclamation Plans. The reclamation cost estimate has been calculated in the amount of \$19,600.00, an increase of \$11,096.00 from the \$8,504.00 currently held by the Division. Please review the enclosed figures as soon as possible and contact our office if you have any questions or find any calculation errors.

**EXHIBIT E - Map (Rule 6.3.5)**

24. The revised *Exhibit E Map* still contains an error within the Additional Notes section. The Division believes there is a typo regarding the statement that the permit boundary “includes a 30 foot wide strip in the northern portion of the Found Claim”. The Division believes this should actually be the northern portion of the Florence Claim. Please update this map and re-submit it for further review.
25. The Final Reclamation Plan Map depicts the final site configuration and remaining features after all mining and reclamation has been completed. Please remove the Current Excavation and Current Rock/Soil Storage polygons and labels from the *Exhibit Map E-1* as these features will not remain after final reclamation.
26. The Division believes there is an error regarding the reclaimed slope gradient labels on the *Exhibit Map E-1*. The eastern label states “Slope 1(H):3(V) Typical”, however based on the approved maximum reclaimed slope gradient of 3H:1V and topographic details of the map, the Division believes this should state “Slope 3(H):1(V) Typical”. In addition, the western label states “1(H):1.5(V)”, however this does not match the approved maximum reclaimed slope gradient of 3H:1V nor the topographic details of the map. Please revise these labels accordingly.
27. In accordance with Rule 6.3.5(3)(d), please state, on the *Exhibit Map E-1*, the average thickness of replaced overburden/waste rock. Please note, in the response to Adequacy Item #15g, the Applicant stated the maximum depth of the excavation is 70 feet and therefore the average thickness of replaced overburden/waste rock would be 35 feet. Please revise this to reflect the maximum approved depth of 50 feet. It may be most appropriate in this case to state on the *Exhibit Map E-1*, similarly to the approved reclamation plan, that all excavated material will be backfilled into the pit similar to the pre-mining surface and this could be up to 50 feet thick.

**EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9)**

28. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy. Please submit proof that the public review copy has been updated or a copy of the response to this adequacy letter has been added to it.

This concludes the Division’s second adequacy review of AM-01. This letter shall not be interpreted to mean that there are no other technical deficiencies in your application; other issues may arise as additional

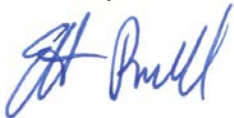
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information is supplied. Please be advised the permit amendment application may be deemed inadequate, and the application may be denied on November 21, 2018, unless the above mentioned adequacy review items are addressed to the satisfaction of the Division. If more time is needed to complete the reply, the Division can grant an extension to the decision date.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell

Environmental Protection Specialist

Enclosures: History Colorado comment letter AM01 M1996081  
Division of Water Resources comment letter AM01 M1996081  
Reclamation Cost Estimate AM01 M1996081

Cc: Michael Cunningham, DRMS  
Art Braun. Braun Environmental, Inc., [braunenv@msn.com](mailto:braunenv@msn.com)  
Clint Cross and Louisa McKay, North Star Turquoise, LLC, 201 Lake Drive, Florissant, CO 80816