



**Climax Mine**  
Highway 91 - Fremont Pass  
Climax, CO 80429  
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**Sent by Email**

June 4, 2020

Mr. Dustin Czapla, Environmental Protection Specialist  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman St., Rm. 215  
Denver, CO 80203

**Re: McNulty Water Controls – Climax Mine Permit No. M-1977-493**

Dear Mr. Czapla:

On Tuesday, June 2, 2020, Climax completed the first inspection for the year of the Phase I McNulty Water Controls that were installed in the summer of 2019. During the inspection, it was discovered that the overburden stockpile facility (OSF) underdrain system had failed to convey water as intended resulting in a failure of an Environmental Protection Facility (EPF) as defined in Rule 8. The underdrain system was designed to collect the contact water from the McNulty OSF and convey it in a pipe to the McNulty Ditch which takes it to the Sludge Densification Plant (SDP) for first stage water treatment. There is a secondary system that collects other incidental contact water from the area, conveys it to the bottom of McNulty Gulch and finally through a culvert under Highway 91 and into Tenmile Tailings Pond.

During the inspection, it was determined that the contact water from the McNulty OSF was bypassing the underdrain system and was instead reporting to the bottom of McNulty Gulch and into the Tenmile Tailings Pond. This incident did not result in adverse impacts to human health, property or the environment. The immediate actions taken to correct the situation was to dig a small trench to redirect flow back into McNulty Ditch. After evaluation with the design engineer, it was determined that inlet to the underdrain was not adequate for surface flows and instead was designed for when the OSF was in place and flows would be subsurface in nature.

This area is expected to experience surface flow for the next year or two due to Climax's reduced production and stripping so an interim solution has been identified. When runoff is complete and flows decrease, the inlet pipe for the underdrain will be excavated and graded riprap will be placed around the inlet pipe to allow the surface flows to enter the pipe directly. A trash rack will also be utilized to ensure the inlet stays free of debris and rocks. In the interim, the area will be inspected daily to ensure the water continues to report to McNulty Ditch and the East Inspector remains unimpacted.

Please feel free to contact me at (719) 486-7525 or at [dkelts@fmi.com](mailto:dkelts@fmi.com) if you need any further information regarding this matter. Thank you for your continued assistance with Climax Mine.

Sincerely,

Diana Kelts  
Environmental Manager