



COLORADO
**Division of Reclamation,
Mining and Safety**
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

February 11, 2021

Mr. Geoff Niggeler
Climax Molybdenum Company
P.O. Box 68
Empire, CO 80436

**Re: Climax Molybdenum Company; Henderson Mine; File No. M-1977-342;
Technical Revision No. 33 (TR-33); Seep Spoils Collection Area; As-Built Drawings and
Engineering Certification Adequacy Review**

Mr. Niggeler,

The Division of Reclamation, Mining and Safety (Division/DRMS) reviewed the contents of the as-built drawings and engineering certification for Technical Revision No. 33 (TR-33) - Seep Spoils Collection Area received on February 9, 2021 and submits the following comments.

1. Pursuant to Rule 7.3.2(2), the Operator must provide a certified verification by a professional engineer confirming the facility was constructed in accordance with the approved design plan. The Operator indicates the Engineering Certification was included in Attachment 1, however the Division did not receive the required engineering certification from W.W. Wheeler & Associates, Inc. Please provide an engineering certification with the required professional engineer stamp, signature and date for Technical Revision No. 33.

Please be advised the technical revision for the Henderson Mine may be deemed inadequate, and the revision may be denied on March 11, 2021, unless the above mentioned adequacy review item is addressed to the satisfaction of the Division.

If you have any questions, please contact me at peter.hays@state.co.us or (303) 866-3567 Ext. 8124.

Sincerely,

Peter S. Hays
Environmental Protection Specialist

Ec: Jared Ebert; DRMS

