



August 25, 2022

Ms. Alyson Boye
Cripple Creek & Victor Gold Mining Company
P.O. Box 191
Victor, CO 80860

**Re: Project, Permit No. M-1980-244;
Technical Revision (TR130) Third Adequacy Review**

Dear Ms. Harmon:

The Division of Reclamation, Mining and Safety (DRMS) has completed our review of your responses (dated June 14, 2022) to our April 1, 2022 second adequacy review (SAR) letter for TR130. Additionally, I met with CC&V representatives (Maria Bujenovic, Andy Orser and Travis Howard) on site as part of the August 23, 2022 DRMS monthly inspection to better understand the specifics related to the proposed TR-130 water management. The on-site discussion was beneficial and initiated the need to address new comments based on a better understanding by the DRMS as to how water will be managed in the area of the 2021 stormwater breach cited as a problem in our August 2021 inspection report.

The following Third Adequacy Review (TAR) comments, not specifically stating “The response was considered adequate.” require additional information prior to approval of TR-130 (*Note: the original comment numbering has been retained for tracking purposes*):

- 1) Purpose: The response requires additional information:
 - a. Figure 1, New Sump: The response was considered adequate. *[It should be noted that the “New Sump” is not new with respect to this Technical Revision, but was the label given to this facility during a previous permit revision.]*
 - b. HGM Stormwater Storage: The response partially addressed our concerns. The revised approach would pump infiltrated and intercepted stormwater over the HGM liner to the ADR2 spent tank, rather than directly to VLF2. This addresses concerns related to potentially saturating a dedicated area (76,000 sqft) on VL2, but does not explicitly address concerns related to the storage volume available above the HGM liner (SAR Comment 1.b.ii) and the potential impact on the HGM foundation stability (SAR Comment 1.b.iii). The June 14th response states this approach “would allow for increased flexibility to pump down the mill platform in the case of an extensive storm event”. Please provide an estimate for how long it would take to pump down the mill platform in the case of the 100-year, 24-hour design storm.



- 2) Schedule: The response was considered adequate. The DRMS verified sediment had been cleaned out of the New Sump at the time of the August 23rd inspection.
- 6) Existing Depression Detention Pond:
 - c. How long is the depression expected to retain stormwater following the design event?
The response was considered adequate.
- 9) Channel/scour velocity: The response was considered adequate. The DRMS accepts the both the previous commitment to maintain the channel during the operational life of the mine and the recent commitment to address the closure design for this channel, preferably as part of TR-131.
- 11) Bond impact: The response was considered adequate.

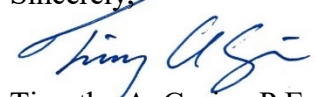
New Comments

- A. Water management: During the August 23rd inspection, CC&V representatives explained they intend to manage water in the New Sump area as process water, rather than as stormwater. The DRMS accepts this approach given that the New Sump is completely over the VLF1 liner and the revised stormwater management approach being proposed in TR-130 should all but eliminate runoff contributing to the New Sump from areas other than VLF1. However, this change needs to be confirmed in writing by CC&V, and will require ponded water in the New Sump be limited to less than three feet by three feet as stated in the approved wildlife protection plan. During the inspection, CC&V representatives confirmed they would not be able to rip the surface to promote infiltration of ponded water as is the practice on the stacked ore portions of the VLF. This is because the floor of the New Sump is in close proximity to the VLF liner and ripping the surface could pose a risk to the underlying liner integrity. During the inspection, one observed puddle in the New Sump appeared to exceed the three foot by three foot limitation on ponded process water. The puddle is most likely attributable to the recent heavy rains in the area. Nevertheless, the wildlife protection plan applies to areas managed as process water. Please provide the following:
 - i. Written confirmation that CC&V intends to manage water in the New Sump area as process water rather than stormwater,
 - ii. An approach to deal with ponded water in the New Sump where ripping is not feasible.
- B. Inspection items: No response is necessary. The TR-130 proposed changes in water management will require the DRMS to monitor various aspects of this system during future inspections to ensure functionality. These additional inspection items include, but are not limited to:
 - i. Drainage conveyance across the haul road from east of the Load Out Bin (LOB) to the new detention pond. The DRMS notes it has not been determined whether this will be a buried culvert or a surface swale. Either approach will need to be periodically inspected to ensure positive drainage and no blockage.
 - ii. The inlet and outlet for the pipe from the detention pond to EMP-11 will be periodically inspected for blockage.

- iii. The floor of the New Sump will be monitored regularly for compliance with the approved wildlife protection plan.

If you have any questions or need further information, please contact me at (303)328-5229.

Sincerely,



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

ec: Michael Cunningham, DRMS
Amy Eschberger, DRMS
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