

Sent by Email

August 12, 2022

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

**Re: 5 Dam Seepage Return Line Leak – Climax Mine Permit No. M-1977-493**

Dear Mr. Czapla:

Climax is providing this 5-day follow-up written notice pursuant to Rule 8.2.3 of the DRMS Rules and Regulations for Hard Rock, Metal, and Designated Mining Operations. On Friday, August 5, 2022, Climax identified a small leak (approximately 10 gallons per minute (gpm)) from 5 Dam Seepage Return Line, which it conservatively considered as a potential failure or imminent failure of an Environmental Protection Facility (EPF) pursuant to Rule 8.1(b). Climax left a voicemail with Environmental Protection Specialist Dustin Czapla at approximately 2:00pm on August 5, 2022 in accordance with Rules 8.2.1(a) and 3.1.13(1).

Climax also reported this incident to CDPHE pursuant to the Colorado Water Quality Control Act (§ 25-8-601(2), C.R.S.). Consistent with Rule 3.1.13(3), attached is a copy of the 5-day written notification to CDPHE.

Description of Incident:

The incident occurred at the Climax Mine located at Fremont Pass – Highway 91 Climax, CO 80429. At 11:45am on August 5, 2022, a Climax employee driving in the area of the Mayflower Pump Station noticed discolored water on the mine site adjacent to the pump station upstream of Tenmile Creek. After further inspection it was observed that the water was leaking from a buried pipeline and was reporting to a spillway in the area that leads to a settling pond. The settling pond was overflowing its spillway into the channel leading to Climax's Outfall 001A under Climax's Colorado Discharge Permit System (CDPS) permit (No. CO0000248) that discharges to Tenmile Creek.

At 12:00pm the flow from the pipeline leak was diverted back into the adjacent 5 Dam seepage collection ponds and the line was shut down by 12:15pm. Water was observed flowing over the spillway for approximately 2 hours. A sample was collected at Outfall 001A at 12:45pm and analyzed in the onsite lab for pH and Mn and another sample was collected at 1:00pm and sent to an offsite CO certified lab. The pipeline was exposed at 5:00pm and it was discovered that a T in the line that went to an unused facility had a coupling that developed a hole. The coupling was removed and a blind flange put in its place since the line connected to the T was no longer in use. All repairs were completed by 6:30pm.

Required Information under Rule 8.2.3, paragraphs (a) through (e):

- (a) actions taken to respond to and correct the emergency situation or condition;

*Climax Response: The flow from the pipeline leak was diverted back into the adjacent 5 Dam seepage collection ponds and the line was shutdown. Water was observed flowing over the spillway for another two hours. The pipeline was exposed and it was discovered that a T in the line had a coupling that developed a hole. The coupling was removed and a blind flange put in its place since the line connected to the T was no longer in use. All repairs were completed the same evening.*

- (b) any known or anticipated adverse impacts to human health, property or the environment;

*Climax Response: There are no known impacts to human health, property or the environmental because a sample taken at CDPS Outfall 001A indicated that there were no exceedances of permit effluent limitations.*

- (c) name(s), address(s), telephone numbers and e-mail address of the Operator's contact person for additional information and follow-up by the Office;

*Climax Response: Diana Kelts, Environmental Manager – [dkelts@fmi.com](mailto:dkelts@fmi.com), 719-486-7525  
Climax Mine  
Fremont Pass-Highway 91  
Climax, Co 80429*

- (d) monitoring and analyses that are necessary to evaluate the situation and corrective actions, copies of all pertinent data; and

*Climax Response: Onsite lab analysis showed that the pH at Outfall 001A was 7.7 and the Mn concentration was 300ug/L. Attached in recorded data and screen shot of the analyzer. The data from the other sample sent offsite has not been received yet and will be sent as soon as it is received.*

- (e) results of the Operator's investigation to assess the conditions or circumstances that created the emergency situation, and what corrective or protective measures will be taken to prevent a similar event from occurring in the future.

*Climax Response: It was determined that the coupling that failed was not stainless steel. All fittings used for the 5 Dam Seepage Return should be stainless steel and that lead to the failure. The vault that the line was located in was longer in use and not inspected regularly.*

- Contact the design engineer and determine if there are other non-stainless steel fittings on the line and replace them*
- Evaluate procedures for proper abandonment of facilities that are no longer in use*
- Evaluate secondary containment for the Mayflower Pump Station and associated seepage collection ponds*

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,

A handwritten signature in blue ink that reads "Diana Kelts". The signature is written in a cursive, flowing style.

Diana Kelts  
Environmental Manager

Attachments



# Five day reporting form

Incident / spill / sanitary sewer overflow release

*Use this form to report incidents impacting waters of the state*

The Water Quality Control Division distinguishes between reporting requirements for incidents that occur at entities operating under a Colorado Discharge Permit System (CDPS) permit and those resulting from non-permitted activities.

**Permitted activities** - Reporting and management of non-compliance incidents and spills that occur as a result of permitted activities should be performed in accordance with the specific requirements in the notifications section of your permit. You may use this form to submit the information requested in the permit.

**Non-permitted activities** - In the case of an activity where a permit does not address reporting of, or response to, a given spill please submit a written summary of the event, your response, and clean up efforts to the division within five working days of the date of the event. This form is provided for your convenience. If you have any questions please contact the division's field services staff person assigned to your spill case.

Prior to the five working day deadline you may request an extension to submit the report if needed for sampling analysis or other reasons. To request an extension please send an email to the division's field services staff person assigned to your spill case or to the spill administrator. The field services contact list is available at:  
[www.colorado.gov/cdphe/wq-inspection-services-contact-us](http://www.colorado.gov/cdphe/wq-inspection-services-contact-us).

Please send the completed form or report with signature to the division's field services spill administrator:

Michelle Thiebaud  
222 S. Sixth Street, 232  
Grand Junction, CO 81501

Telephone: 970-248-7150  
Fax: 970-248-7198  
Email: [michelle.thiebaud@state.co.us](mailto:michelle.thiebaud@state.co.us)

1. Incident background information					
Incident/spill number (division provided)	2021-0411	Date of event	August 5, 2022	County	Summit
Type of incident / spill / SSO (check one)					
<input type="checkbox"/> Sanitary sewer overflow	<input type="checkbox"/> Potable water/reuse water/reclaimed water		<input type="checkbox"/> Biosolids		
<input type="checkbox"/> Wastewater treatment plant bypass or upset (authorized outfall point)	<input type="checkbox"/> Petroleum product		<input type="checkbox"/> Oil or gas field production spill		
<input type="checkbox"/> Wastewater treatment plant spill or overflow (other than outfall)	<input type="checkbox"/> Chemical		<input checked="" type="checkbox"/> Other		
Estimated volume released	1,800 gallons				
Size and depth of area affected	Not applicable				
Contact information					
Potentially responsible party contact name	Diana Kelts, Environmental Manager				
Potentially responsible party company/agency name	Climax Mine				
CDPHE Permit number and facility name (if applicable)	Incident occurred up-gradient from Outfall 001A identified in the Climax Mine CDPS Permit No. CO0000248				
Email address	dkelts@fmi.com		Phone	719-486-7525	
2. Incident information: Please provide the following information.					
A. Describe incident including source, cause, and location (e.g. address, latitude/longitude).					
<p>The incident occurred at the Climax Mine located at Fremont Pass – Highway 91 Climax, CO 80429. At 11:45am on August 5, 2022, a Climax employee driving in the area of the Mayflower Pump Station noticed discolored water on the mine site adjacent to the pump station upstream of Tenmile Creek. After further inspection it was observed that the water was leaking from a buried pipeline and was reporting to a spillway in the area that leads to a settling pond. The settling pond was overflowing its spillway into the channel leading to Climax's Outfall 001A under Climax's Colorado Discharge Permit System (CDPS) permit (No. CO0000248) that discharges to Tenmile Creek.</p> <p>At 12:00pm the flow from the pipeline leak was diverted back into the adjacent 5 Dam seepage collection ponds and the line was shut down by 12:15pm. Water was observed flowing over the spillway for approximately 2 hours. A sample was collected at Outfall 001A at 12:45pm and analyzed in the onsite lab for pH and Mn and another sample was collected at 1:00pm and sent to an offsite CO certified lab. The pipeline was exposed at 5:00pm and it was discovered that a T in the line that went to an unused facility had a coupling that developed a hole. The coupling was removed and a blind flange put in its place since the line connected to the T was no longer in use. All repairs were completed by 6:30pm.</p>					

<p><b>B. Material released, e.g. untreated wastewater, specific chemical or product, biosolids. Please attach the OSHA Material Safety Data Sheets for any and all chemicals or products in spill or release.</b></p>		
<p>Mine tailings seepage water</p>		
<p><b>C. Actual or estimated duration of the event and time spill was fully controlled/stopped. If release is still occurring, the date and time the release is expected to be stopped.</b></p>		
<p>The spill was discovered at 11:45am and the source of the spill was stopped by 12:00pm. The total estimated time of the release was 3 hours.</p>		
<p><b>D. Describe measures taken or planned to contain, reduce, and clean up spill or release.</b></p>		
<p>The flow from the pipeline leak was diverted back into the adjacent 5 Dam seepage collection ponds and the line was shutdown. Water was observed flowing over the spillway for another two hours. The pipeline was exposed and it was discovered that a T in the line had a coupling that developed a hole. The coupling was removed and a blind flange put in its place since the line connected to the T was no longer in use. All repairs were completed the same evening.</p>		
<p><b>E. Describe steps taken or planned to prevent reoccurrence.</b></p>		
<p>It was determined that the coupling that failed was not stainless steel. All fittings used for the 5 Dam Seepage Return should be stainless steel and that lead to the failure. The vault that the line was located in was longer in use and not inspected regularly.</p> <ul style="list-style-type: none"> <li>Climax will contact the design engineer and determine if there are other non-stainless steel fittings on the line and replace them</li> <li>Climax will evaluate procedures for proper abandonment of facilities that are no longer in use</li> <li>Climax will evaluate secondary containment for the Mayflower Pump Station and associated seepage collection ponds</li> </ul>		
<p><b>3. Incident impact to state waters (As defined in § 25-8-103(19), C.R.S.).</b>  Examples of state waters include: stormwater conveyances (when they discharge to surface water), perennial streams, intermittent or ephemeral gulches, ditches, ponds, lakes, reservoirs, irrigation canals, wetlands and groundwater.</p>		
<p><b>A. Did flow or materials reach surface water of the state? If so, identify the water body or bodies and describe the path of flow. What quantity of material reached the surface waters and what was the resulting impact?</b></p>		
<p>The spillage entered a channel approximately 0.3 miles from Climax's Outfall 001A under Climax's Colorado Discharge Permit System (CDPS) permit (No. C00000248) and Tenmile Creek. It is estimated that approximately 1,800 gallons of process water flowed into the settling pond and channel before it flowed to Tenmile Creek. There were no impacts to Tenmile Creek since samples taken at 1:00pm during the incident at Outfall 001A indicated that permit effluent limitations were not exceeded. See attached onsite lab sample analysis for Outfall 001A.</p>		
<p><b>B. Did flow or materials reach groundwater of the state? If so, identify the water body or bodies and describe the path of flow. If yes, what quantity of material reached the ground or groundwater and what was the resulting impact?</b></p>		
<p>No</p>		
<p><b>C. Did the incident include any of the following? If so, please include additional details below.</b></p>		
<input type="checkbox"/> Chemical release	<input type="checkbox"/> Fish kill	<input type="checkbox"/> Sheen on water
<p>Not applicable</p>		
<p><b>D. Were any water quality samples or other samples taken? If so, please describe sampling process, sampling location(s) in relationship to the incident, i.e. up/down stream and attach results.</b></p>		
<p>Yes, Samples were obtained at Outfall 001A. One grab sample was collected at the outfall and analyzed in the onsite lab. The pH measured at Outfall 001A was 7.7 and the onsite lab analysis showed concentrations of 300ug/L for Mn. See attached map and notes from the sample analyzed in the onsite lab. Another sample was collected using CDPS sampling guidelines and sent to a CO certified lab for further analysis. Those results have not been received yet and will be sent in as soon as it is received.</p>		
<p><b>4. Incident impact to areas or water users</b></p>		
<p><b>A. Describe the potential impact of the incident/spill/SSO to public use areas or downstream water users. This includes parks and swim beaches or public water system sources and irrigation diversions.</b></p>		
<p>There were no potential impacts to public use areas or downstream water users.</p>		
<p><b>B. Were the impacted area users and downstream water users notified and describe the method of notification, e.g. signs posted, via phone.</b></p>		
<p>No downstream users were notified</p>		

C. List any downstream users who were notified.

Not applicable

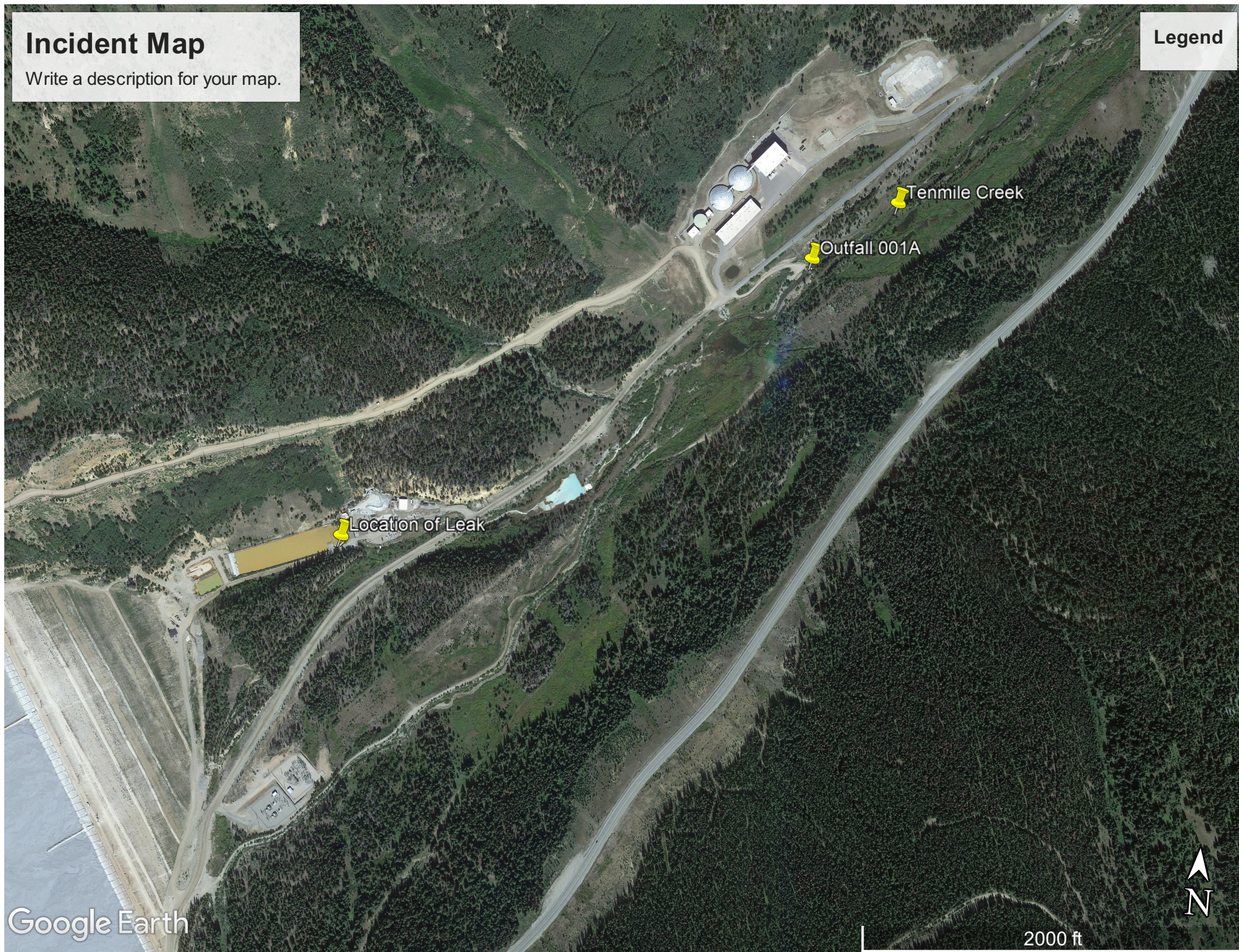
I hereby certify that the information presented above is accurate and complete.

Signature	Name and title	Company, organization	Date
<i>Diana Kelts</i>	Diana Kelts Environmental Manager	Climax Molybdenum Company Climax Mine	8-12-2022

# Incident Map

Write a description for your map.

Legend



Google Earth

2000 ft



Sample results from Climax's onsite lab on August 5, 2022

Roger Stauffer  
time taken: 12:45  
pH: 7.7  
mgn: 0.3  
time analyzed: 13:00

