



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

January 31, 2023

Lori Smith
Cripple Creek & Victor Gold Mining Company
P.O. Box 191
Victor, CO 80860

Re: Partial Approval for Revision No. TR130, Cresson Project, Permit No. M-1980-244

Dear Lori Smith,

On January 31, 2023 the Division of Reclamation, Mining and Safety (Division) issued a **Partial Approval** for Technical Revision TR130 submitted to the Division on January 20, 2022, addressing the following:

Stormwater control improvements in the vicinity of the High Grade Mill

The Division is hereby approving only the portions of TR130 involved with diverting stormwater runoff away from the HGM. This specifically includes the following, and no other components of TR-130:

- The proposed diversion ditch below the “native hillside” east of the HGM which directs stormwater to the detention pond south of the Loadout Bin (LOB);
- The current LOB detention pond and the proposed riser pipe in this detention pond; and
- The proposed pipeline, as revised in the March 11, 2022 Adequacy Response Item #8, to direct stormwater captured in the LOB detention pond to EMP 11.

The Division is also accepting the statement within the March 11, 2022 Adequacy Response Item #1 regarding the continued maintenance of sediment accumulation in the “New Sump”. These limited portions of TR130 approved by the Division are hereby incorporated into Permit No. M-1980-244. All other conditions and requirements of Permit No. M-1980-244 remain in full force and effect.

The Division is hereby denying all portions of TR130 that directly or indirectly incorporate the High Grade Mill (HGM) liner into their stormwater management system. This is based on concerns related to the use of an uncertified Environmental Protection Facility (EPF) to manage stormwater, demonstrated acidic pH of water currently stored on the HGM liner, and a failure of the Operator to demonstrate as-built volumes and sill elevations for the HGM liner.

The Division has reviewed the change associated with the approved portions of TR130 for impacts to the financial warranty and determined that this change requires an additional \$40,936.43 increase to the current reclamation liability. Therefore, the current required surety has increased to \$208,720,548.74 and the surplus warranty is now at \$770,639.26 with the partial approval of TR130.

If you have any questions, please contact me at 303-866-3567 x8132 or elliott.russell@state.co.us.

Sincerely,

Elliott R. Russell
Environmental Protection Specialist

Ec: Katie Blake and Johnna Gonzalez, CC&V
Michael Cunningham and Tim Cazier, DRMS

