



March 6, 2023

CERTIFIED MAIL

Mr. Elliott Russell
Environmental Protection Specialist
Colorado Department of Natural Resources
Division of Reclamation, Mining and Safety
Office of Mined Land Reclamation
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Permit No. M-1980-244; Cripple Creek & Victor Gold Mining Company; Cresson Project; Adequacy Review Response to Technical Revision 133 – Clay Borrow Source

Dear Mr. Russell:

On February 16, 2023 Newmont Corporation's Cripple Creek and Victor Gold Mining Company (CC&V) received the Division of Reclamation, Mining, and Safety (DRMS) first adequacy review of Technical Revision (TR) 133 to Permit M-1980-244, proposing to mine a clay borrow source on the northern perimeter of the WHEX pit.

Based on the first adequacy review and the timing needed for the responses, CC& V has elected to scale down the initial project with the intent to submit a subsequent addendum later in the year that would go back to the full scope that was submitted in the original letter dated February 2, 2023.

The revised excavation area would be 205,500 ft². EMP-18 will not be impacted with the revised excavation area. The pond is sized to contain runoff coming from the identified catchment area shown in blue for a 500-year, 24-hour storm event, as detailed in Figure 2.

Revised table 1 presents a summary of direct costs for reclamation. The estimated reclamation costs for mining the clay source is \$18,036.26 and is included in the attached Table 1 - WHEX Clay Reclamation Costs.

Please see DRMS comments from adequacy review #1 in **bold** followed by CC&V's responses in *italics*.

1. **TR133 states that during clay excavation, EMP-18 will be eliminated and eventually replaced once the project is complete. TR133 also provides a schedule indicating clay mining will occur in 2023-2027 with reclamation to begin in 2032, Please provide details on when approximately EMP-18 will be eliminated and**

when it will be replaced with the new EMP. If there is a time lapse between the removal of EMP-18 and the construction of the new EMP, please discuss temporary and adequate stormwater controls during this time to minimize erosion.

Based on the revised scope of this project, this is no longer applicable.

2. **Please propose a name for the new EMP which will replace EMP-18. The Division suggests differentiating the new EMP from EMP-18 (e.g. EMP-18-2, EMP-18b, etc.) to reduce any confusion moving forward as the design size and location will change.**

Based on the revised scope of this project, this is no longer applicable.

3. **Please provide details regarding the design storm event, storm depth, volume calculations, and other appropriate factors that were utilized for the new EMP and demonstrate these are consistent with those provided in TR131.**

Based on the revised scope of this project, this is no longer applicable.

4. **Please provide details on how the new EMP will be incorporated into the stormwater closure design for WHEX Pit backfill area. Please discuss if a spillway will be constructed which will report to an additional channel within the backfill, leading to a proposed bench or draindown channel as depicted on Figure 3 – WHEX Pit Backfill Closure Plan in TR131.**

Based on the revised scope of this project, this is no longer applicable.

5. **Diversion Channels DC-EMP-18W and DC-EMP-18N currently convey stormwater to EMP-18 as documented in TR101. TR133 does not address how these channels will be extended to the location of the new EMP. Please provide designs and details of these diversion channel extensions. Furthermore, please discuss if an additional diversion channel is needed to convey stormwater from the eastern portion of the watershed boundary, as depicted on Figure 2 – WHEX Pit Clay Excavation Reclamation, to the new EMP.**

Based on the revised scope of this project, this no longer applicable.

6. **The Newfields January 25 letter states: “Before being abandoned, the sides of any borrow areas outside the Work area shall be brought to stable slopes (not steeper than 3H:1V)”. TR133 doesn’t specifically provide the maximum slope gradient of the borrow area during mining, however, as there is not a line item for a backfill/grading task within the reclamation cost estimate summary table, the proposal indicates the final reclamation slope gradient will be maintained. Please clarify the borrow area will**

be mined at a slope no steeper than 3H:1V or provide details of active clay mining and update the cost estimate summary table as appropriate. Please also discuss the sequence and how clay mining will occur during the provided timeframe 2023-2027.

Figure 2 demonstrates a 3H:1V slope will be maintained, with no intention to mine any steeper slopes. Mining in 2023-2027 will be dependent on leach pad construction schedules and clay quantities needed.

7. **Figures 1 – WHEX Pit Clay Excavation and 2 – WHEX Pit Clay Excavation Reclamation are missing a date or signature. As required by Rule 6.2.1(2)(b) and (c), please provide revised figures with dates and signatures.**

Please see the revised figure.

8. **Figure 2 – WHEX Pit Clay Excavation Reclamation depicts a “grass” hatch, however this is not included in the legend. Additionally, this hatch only covers a portion of the TR133 disturbance area, suggesting revegetation will not occur on the entire area. Please either remove the “grass” hatch and simply clarify the disturbed lands will be revegetated in accordance with the approved Exhibit E – Reclamation Plan or revise the hatch area to include all disturbances of TR133 and update the legend.**

Please see the revised figure.

9. **Figure 2 – WHEX Pit Clay Excavation Reclamation includes *Note 1* identifying the volume of the new EMP at 358,880 ft³. TR101 lists the as built volume of the EMP-18 at 199,631ft³. As all EMPs on-site get backfilled at closure after the establishment of vegetation, please update the TR133 reclamation cost estimate to account for the hauling of an additional 5,898 CY to the larger new EMP. Please note, the site’s reclamation cost estimate lists the average haul distance for backfilling all EMP’s at 4,600 feet.**

Please see the revised figure.

10. **Figure 2 – WHEX Pit Clay Excavation Reclamation includes *Note 3* identifying a total topsoil volume at 20,573 CY based on replacing 12 inches. This volume/depth is inconsistent with the volume provide in the TR133 cost estimate summary table. Please update TR133 accordingly.**

Please see the revised figure.

11. **The Division will calculate a reclamation bond cost estimate based on the responses to this adequacy letter and will then evaluate the TR133 cost estimate for sufficiency. You will be provided copy of that reclamation cost estimate for**



review before the decision date if the Division's estimate is more than the TR133 cost estimate.

No further response needed.

Should you require further information, please do not hesitate to contact Johnna Gonzalez at (719) 313-0447, Johnna.Gonzalez@Newmont.com, or myself at Katie.Blake@Newmont.com.

Sincerely,

DocuSigned by:

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Katie Blake
Sustainability & External Relations Manager
Cripple Creek & Victor Gold Mining Co

EC:

M. Cunningham – DRMS
M. Crepeau – Teller County
J. Gonzalez – CC&V
K. Blake – CC&V
N. Townley – CC&V

Attachments:

Figure 1 – WHEX Pit Clay Excavation –10140
Figure 2 - Pit Clay Excavation Reclamation
Table 1 - WHEX Clay Reclamation Costs Revised

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Correspondence\DNR\DRMS\2023\March\Outgoing



CRIPPLE CREEK & VICTOR

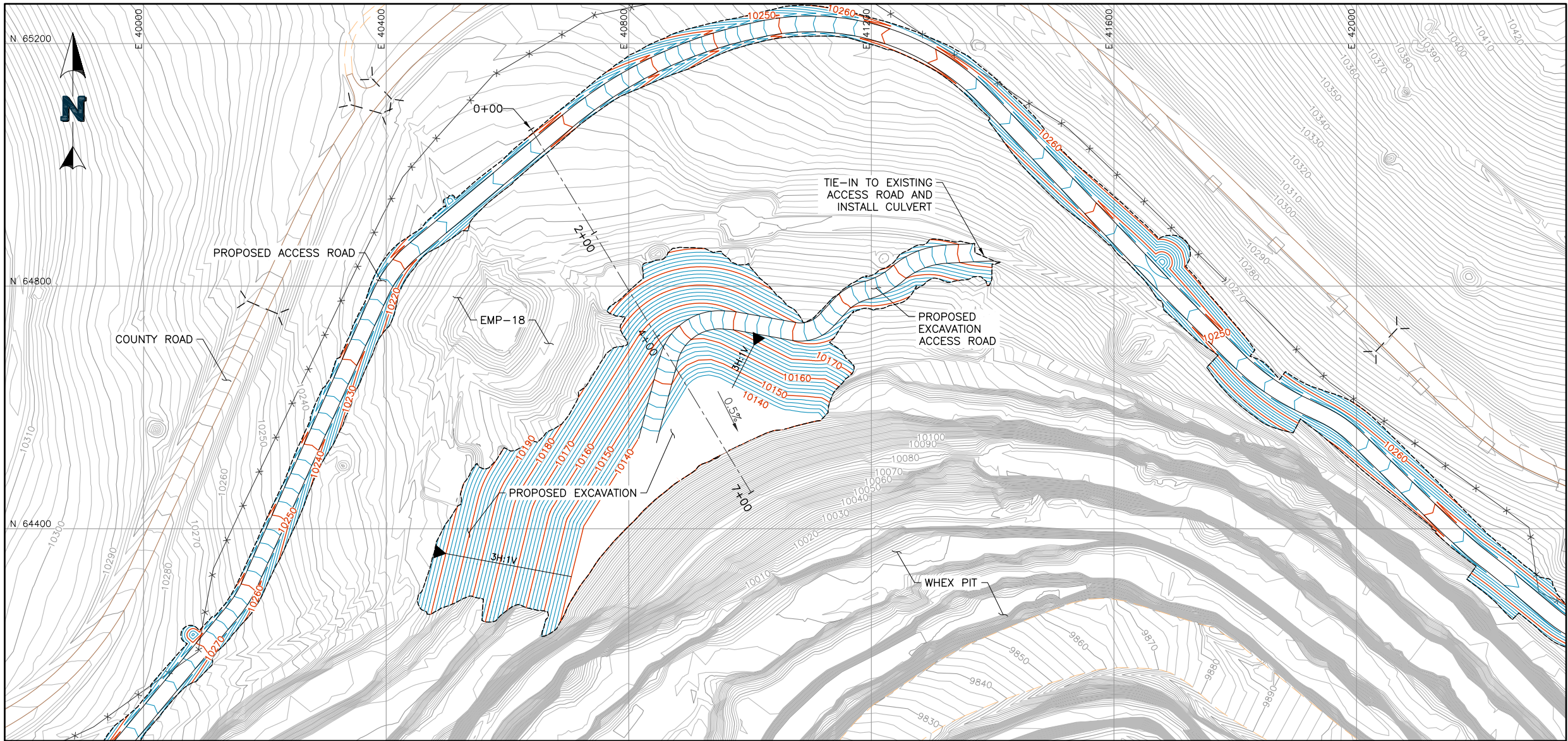
[newmont.com](https://www.newmont.com)

PO Box 191

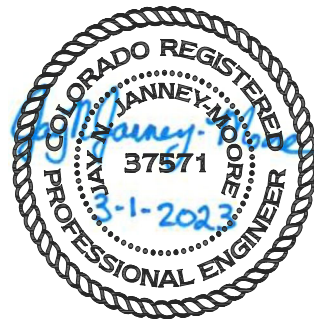
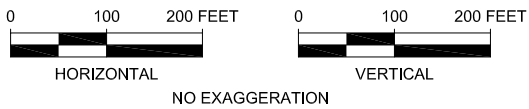
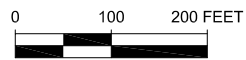
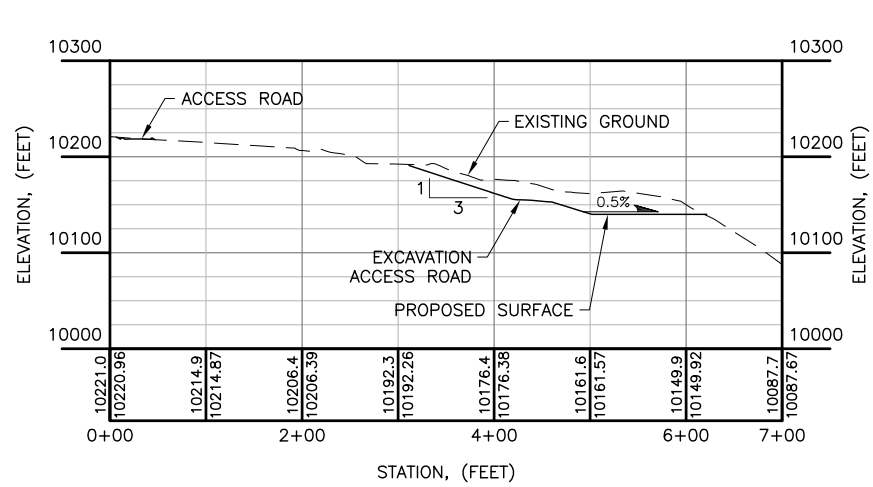
100 N. 3rd Street

Victor CO 80860

P:\Projects\0106.056 VLF2 Phase 3a COA\A-CAD\FIGS\0106.056.083F.dwg-2/28/2023 7:25 PM



- LEGEND:**
- EXISTING GROUND CONTOURS
 - PROPOSED GROUND CONTOURS
 - EXISTING ROADS/TRAILS
 - EXISTING FENCE
 - EXISTING CULVERT



NewFields		CLIENT CRIPPLE CREEK & VICTOR GOLD MINING COMPANY	
PROJECT		VLF2 PHASE 3	
TITLE WHEX PIT CLAY EXCAVATION - 10140'		FILENAME 0106.056.083F	
		FIGURE NO. 1	REVISION B

Table 1: TR-133 WHEX Clay Borrow Reclamation			
Task	Unit	Unit Cost	Total Cost
WHEX Clay Borrow Topsoil (CY)	3807.0	\$ 1.62	\$ 6,178.00
WHEX Clay Borrow Revegetation (Acre)	4.7	\$ 1,664.83	\$ 7,858.00
DRMS Indirect Cost (28.5%)			\$ 4,000.26
Total:			\$ 18,036.26



TR 133 Clay Borrow Source

Norma Townley <Norma.Townley2@newmont.com>

Mon, Mar 6, 2023 at 2:29 PM

To: Elliott Russell - DNR <elliott.russell@state.co.us>

Cc: "Cunningham - DNR, Michael" <Michaela.Cunningham@state.co.us>, "Crepeau, Michael" <CrepeauM@co.teller.co.us>, Johnna Gonzalez <Johnna.Gonzalez@newmont.com>, Katie Blake <Katie.Blake@newmont.com>, Norma Townley <Norma.Townley2@newmont.com>

Elliott, attached is our Adequacy Review Response to Technical Revision 133 – Clay Borrow Source with attachments. If you have questions or concerns please reach out to Johnna.Gonzalez@Newmont.com or Katie.Blake@Newmont.com. Thank you.



Norma Townley

Business Assistant | Newmont | T 719-851-4255

Newmont

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Please consider the environment before printing this e-mail

4 attachments



06MAR2023_TR133 - AR Review Response_FINAL.docx.pdf
485K



WHEX Clay Excavation Closure Figure, Revised, Signed.pdf
849K



WHEX Clay Excavation Figure, Revised, Signed.pdf
961K



WHEX Clay Reclamation Costs_Revised.pdf

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