



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

August 3, 2023

Eric Detmer
Climax Molybdenum Company
Highway 91, Fremont Pass
Climax, CO 80429

RE: Climax Mine, Permit No. M-1977-493, Technical Revision (TR-36) Adequacy Review

Dear Mr. Detmer:

On July 20, 2023, the Division of Reclamation, Mining and Safety (Division) filed your Technical Revision request (TR-36) for the Climax Mine, Permit No. M-1977-493. During review of the material submitted, the Division determined that the following issue(s) of concern need to be adequately addressed before the Technical Revision can be considered for approval. Please provide the following:

1. As indicated by Climax, the Environmental Protection Plan (EPP) will be inadequate and will need to be revised. Pursuant to Rule 7.2.8, a revised EPP shall be submitted in the form of a Technical Revision with the Required Revision Fee by December 15, 2023.
2. In conjunction with the updated EPP to be submitted by December 15, 2023, please submit updated/revised Reclamation Plan and Maps as it pertains to this Environmental Protection Facility (EPF). As well as any other features that have been modified to ensure the Plan and Map(s) accurately reflect site conditions pursuant to C.R.S. 34-32-112(3).
3. The originally submitted narrative including the bullet point key project elements list does not provide enough detail to accurately characterize the scope, purpose and function of the proposed EPF. Please provide a more detailed narrative, supported by additional and revised drawings, discussing all aspects of the proposed EPF, pursuant to Rule 6.4.21(7). Please also include directional flow arrows on all revised figures.
4. Please state where the three spoil piles and one topsoil pile which need to be relocated will be placed. (Per drawing #6-807-00102 and #6-807-00106) What is the estimated volume of the three spoil piles needing to be removed?
5. What is the capacity of the Mayflower Secondary Seepage Collection Area (Sump) depicted in drawing 6-807-00109?
6. Pursuant to Rule 6.4.12, commit to including all pertinent bonding information for this EPF in the 2024 cost update (due April 1, 2024). This includes but is not limited to building and foundation dimensions, material types, piping and dirt work associated with the removal of the 5 Dam Seepwater Collection Area, Secondary Containment System. Please also identify if any features previously accounted for (and how much) have been removed in support of this project.



7. Provide a construction schedule per Rule 6.4.21(15). *This does not have to be identical to phased inspections
8. Please identify the construction phases in which incremental (certifiable) inspections will be conducted pursuant to Rule 7.3.1(1). The minimum general inspection phases are listed under Rule 7.4.2(2).
9. Quality Assurance and Quality Control (QA/QC)
 - a. Describe the QA/QC program to be employed while constructing this EPF, Rule 6.4.21(16) and Rule 7.3.1(4).
 - b. Who will conduct the facility certification and phased inspection(s) (QA/QC)?
10. During the Division's meeting with Climax on August 2, 2023, Climax stated that the headwaters of Tenmile Creek start at their Outfall 001, not immediately adjacent to the 5 Dam Clear Water Pond Spillway. Please provide documentation that the headwaters of Tenmile Creek begin at Outfall 001.
11. The drawings depict a collection pond/channel however no design specifications or volumetrics have been provided. Please sufficiently describe the new collection pond that will be constructed in conjunction with the 5 Dam Seepage Collection System. This information should include more details regarding the average and maximum containment volume and emergency spillway of the collection pond.
12. In addition to the volumetric demonstration of the capacity of the collection pond, please include in the narrative any information regarding necessary improvements to the drainage way such as vegetation clearing, concrete or liner installation. If no improvements are proposed please clarify that.
13. In the Division's August 2, 2023 meeting it was described that the proposed 24" corrugated HDPE culvert on the south side of the collection channel and pond is no longer necessary. Please revise all applicable drawings removing that feature from the design. Please also explain how the modification better manages stormwater within the updated narrative.

*Note that the Division will not grant final approval (certification) until the finalized as-built drawings are provided pursuant to Rule 7.3.2. The 5 Dam Seepwater Collection Area, Secondary Containment System shall not be utilized until the EPF is certified pursuant to Rule 7.3.1(4).

Please submit your response(s) to the above listed issue(s) by **Monday, August 14, 2023**, in order to allow the Division sufficient time for review. If you cannot address the above issues by August 14, 2023, please request an extension to the decision due date in order to ensure adequate time for the Division to review the materials. A decision due date of **August 21, 2023** has been set. If any adequacy issues remain by the decision due date the Division may deny your request.

The Division will continue to review your Technical Revision and will contact you if additional information is needed.

8/3/23

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, Room 215, 1001 E 62nd Ave Denver, CO 80216. Direct contact can be made by phone at 303-866-3567 Ext. 8183 or via email at amy.yeldell@state.co.us

Sincerely,

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

Amy Yeldell
Environmental Protection Specialist

Ec:

Travis Marshall, Senior EPS, Grand Junction DRMS

Dustin Czapla - DRMS

Lucas West - DRMS

Todd Jesse - DRMS