



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

September 22, 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) Approval, Inspection Schedule, and Commitments

Dear Mr. Detmer:

On September 22, 2023 the Division of Reclamation, Mining, and Safety (Division) **approved** the Technical Revision request (TR-36) submitted on July 20, 2023, addressing the following:

Construct the 5-Dam Seepwater Collection Area, a secondary containment system to capture and pump back potential overflow or release from Climax's Mayflower Seepage Collection and Clear Ponds. This system will collect, contain and route Mayflower TSF seepage back into the seepage system. This is a new Environmental Protection Facility (EPF).

Construction of the Construct the 5-Dam Seepwater Collection Area, Secondary Containment System as proposed in TR-36 and its supplemental documentation may now commence.

The Division will not grant final approval (certification) until the finalized as-built drawings and QA/QC documentation 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).

Throughout the course of the review of TR-36, the Division has identified the following phases of construction, which include the critical inspection points to be completed by the Division. Notification of completion of the current construction phase and request for inspection shall be provided to the Division at least 72 hours prior to the requested inspection and can be sent via email. QA/QC documentation including the running table for the completed phase shall be provided to the Division at the time of request for inspection.



Phase/Task	Areas / Items to be inspected (includes but is not limited to)
1	Demolition of inlet headwall on 120-inch dia. Culvert Install cutoff structure Install wet well
2	Install grating and beam, discharge pipe, 18-inch diam. Pipe, submersible pumps and valves in pump house Install pump house concrete slab Install pump house Install 8-inch diam. HDPE discharge pipe
3 Final	All leak test completed Plug culverts Punch list completed System energized Final sign off of all QA/QC tasks - Completed construction inspection.

* All trenches should be open and available for the Division's QA/QC Inspection. Capture and provide photo documentation of each phase/task in the event that snow cover limits direct observations.

Upon completion of construction, certified inspections and submittal of all QA/QC documentation including as-built certifications pursuant to Rule 7.3.2 the Division will issue an EPF Certification for the facilities proposed under TR-36. 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).

Also, throughout the review process of TR-36, commitments were made by Climax that are now incorporated into the permit file. Those commitments are;

- 1. EPF Certification and QA/QC:** Notification of completion of the current construction phase and request for inspection shall be provided to the Division at least 72 hours prior to the requested inspection, and can be sent via email. QA/QC documentation including the running table for the completed phase shall be provided to the Division at the time of request for inspection.
 - a. Provide all QA/QC documentation including change orders or alteration documentation for each respective phase of construction as it is completed. These should be provided in addition to the as-built drawings and certifications for the components it applies to.
- 2. Environmental Protection Plan (EPP):** An updated and revised EPP which accurately reflects site conditions pursuant to Rule 7.2.8. The EPP shall be submitted in the form of a Technical Revision (TR) with the required Revision Fee by December 15, 2023.

3. **Reclamation Plan and Maps:** An updated and revised Reclamation Plan and Maps which include this new 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). This shall be submitted with the revised EPP by December 15, 2023 as a TR.
4. **Reclamation Cost Estimate:** Pursuant to Rule 6.4.12, provide all pertinent bonding information for this EPF in the 2024 cost update (due April 1, 2024).
 - a. 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.
 - b. Please also identify if any features previously accounted for (and how much) have been removed in support of this project.

The terms of the TR-36 approved by the Division are hereby incorporated into Permit No. M-1977-493. All other conditions and requirements of the permit remain in full force and effect.

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, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Sincerely,



Amy Yeldell
Environmental Protection Specialist

Ec:
Travis Marshall, DRMS
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