

OBJECTION TO ZEPHYR MINERLS LTD. PERMIT #M2021046

March 13, 2022

**Objection filed by the Royal Gorge Preservation Project (RGPP)
P.O. Box 173
Canon City, Colorado 81215**

To: Tim Cazier, Dept. Regulation and Mining Safety

From: Gary Peterson, Board Chairman, RGPP

On January 8, 2022, Brazil's Pau Branco iron mine's tailings stack experienced a dramatic failure. Zephyr Minerals Ltd.'s recent permit proposal included a "filtered tailings structure zone", the design of which is directly comparable to that of the Brazilian structure. A dam by any other name is still a dam.

The DRMS's consideration of this occurrence in its review of Zephyr's application is critical given the potential safety hazard presented to Grape Creek and the Arkansas River. Specifically, the Brazilian tailings failure occurred after submission of the Zephyr application. This is a safety issue, not an event that doesn't count because it didn't fit a specific timeline. Zephyr submitted a plan that suggested the safety of constructing a filtered tailings facility, with no caveats for liquefaction or other consequential failures. The failure that occurred on January 8, 2022, is proof of Zephyr's shortsighted plans.

The Arkansas Valley Conservation Coalition will (or has) submit(ed) their objection detailing additional pertinent information relative to this matter. The RGPP recommends that DRMS include this new revelation for consideration. It is a relevant fact that bears directly on the safety of our community.