



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

January 24, 2024

Mr. Ben Langenfeld, P.E.
Lewicki & Associates, PLLC
3375 West Powers Circle
Littleton, CO 80123

Re: Adequacy Review No.4, Conversion Application (CN-1), Gold Hill Mill, Permit No. M-1994-117

Mr. Langenfeld:

On December 20, 2023, the Division of Reclamation, Mining and Safety (Division/DRMS) received your responses to the Division's Adequacy Review No. 3 letter dated October 17, 2023. After review of your responses the Division has identified the additional items that need to be addressed.

The following items will need to be addressed to the Division's satisfaction prior to the decision date. If you are unable to satisfactorily address any concerns identified in this review before the decision date. If there are outstanding issues that have not been adequately addressed prior to the end of the review period the Division may deny this application. Subsequent to receipt and review of the Applicant/Operator's response to these items the Division may identify additional adequacy items.

Appendix C-2:

1. In Section 4, Water Sampling Protocol, the Applicant states the standard operating procedures (SOPs) are attached. The Division did not identify the where the SOPs were within the submittal. Please provide the missing SOPs.
2. The submitted Appendix C-2 does not contain information from the Preliminary Adequacy Review Response, specifically the Reporting Protocol and Exceedance Plan and Reporting Schedule are missing. Please update C-2 with the missing information.

Appendix C-5: Tailings Storage Facility (TSF):

3. At this time, the TSF is an Environmental Protection Facility on-site currently containing tailings material and during the October 2023 inspection the Division noted several issues with the liner of the TSF, including, but not limited to, holes in the liner and animal burrows in the embankments. The Applicant's responses to Mr. Cazier's adequacy questions as well as other adequacy items indicate the information requested will be provided during the TSF recertification process.



In Exhibit U, Section 1.4.1 EPF Certification Minimum Requirements, page U-9, the Applicant states “The recertification will be submitted to CDRMS in the 2024 calendar year. If the TSF cannot be recertified or insufficient capacity remains for further use, closure will take place.”.

If it is determined the TSF can be recertified, the Applicant shall provide a detailed repair/construction and recertification schedule, through a Technical Revision pursuant to Rule 6.4.21(15) so the Applicant can provide a certification of facility pursuant to Rule 7.3.2. Please note the recertification shall provide a demonstration that impacts to the prevailing hydrologic balance are being minimized pursuant to Rule 3.1.6.

If the TSF cannot be recertified, a Technical Revision must be submitted to provide the schedule for reclamation of the TSF in accordance with the approved reclamation plan.

The Applicant shall complete the evaluation and submit the appropriate Technical Revision no later than August 1, 2024.

Please update Exhibit U Section 1.4.1 accordingly.

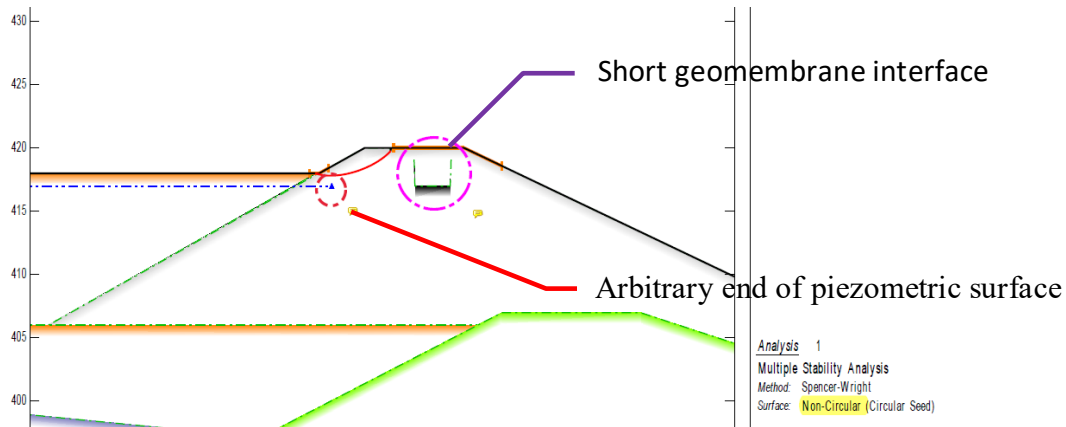
EXHIBIT F – List of Permits and Other Licenses Required (Rule 6.3.6):

Other:

4. Pursuant to Rule 1.6.2(2), please demonstrate that the Applicant’s response to these adequacy issues have been placed with the application materials previously placed with the County Clerk or Records Office, and made available for public review

Review of Responses to Tim Cazier’s October 17, 2023 Comments

1. Stability Model Comparison: The DRMS acknowledges additional stability analyses were performed using the Spencer-Wright method. However, there appear to be some anomalies in the additional analyses: First, the “Tailings/Geomembrane Interface” on all 12 Non-circular, Spencer-Wright analyses appears to be limited to about three feet in length just below the crest of the embankment; second, in the first six analyses, the piezometric surface appears to arbitrarily end three to four feet into the Embankment (proposed). Please explain these apparent anomalies (see screen capture below)



2. Factor of Safety: The site specific data for the embankment and tailings materials at the TSF will need to be submitted as part of the EPF certification process for the TSF per the specific schedule discussed in Comment No. 3 above.
3. Pseudo-Static Factor: The response is adequate.
4. Decant Pond: The tailings minimum beach width at the TSF will need to be submitted as part of the EPF certification process for the TSF per the specific schedule discussed in Comment No. 3 above.
5. Water Balance:
 - a. The TSF detailed water balance will need to be submitted as part of the EPF certification process for the TSF per the specific schedule discussed in Comment No. 3 above.
 - b. Freeboard Monitoring: The response states freeboard monitoring will be monitored monthly via inspection. The DRMS deems this adequate as long as the TSF is not actively being used. However, while the site is active and material is being deposited in the TSF, monitoring should occur daily. Please provide a written commitment to monitor the TSF freeboard daily when the mill is operating.
 - c. Insufficient Freeboard: The response is adequate.
 - d. Pumped Water: The response is adequate.
6. Diversion of Unimpacted Runoff: The responses are adequate.

Please respond to these adequacy issues before the decision deadline to ensure ample time for the Division to complete its review prior to its decision deadline. **The current decision due date for this application is February 7, 2024.**

If you need additional information or have any questions, please contact me by telephone at **303-866-3567 x8114**, or by email at patrick.lennberg@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Lennberg". The signature is fluid and cursive, with the first name "Patrick" written in a larger, more prominent script than the last name "Lennberg".

Patrick Lennberg
Environmental Protection Specialist

cc: Jared Ebert; DRMS
Lucas West, DRMS
Tim Cazier, DRMS

ec: Ben Langenfeld, Lewicki & Associates, PLLC, benl@lewicki.biz