

**Sent by Email**

January 9, 2025

Mr. Dustin Czapla, Environmental Protection Specialist  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman St., Rm. 215  
Denver, CO 80203

**Re: Tailings Delivery Line (TDL) Leak – Climax Mine Permit No. M-1977-493**

Dear Mr. Czapla:

Climax is providing this 5-day follow-up written notice pursuant to Rule 8.2.3 of the DRMS Rules and Regulations for Hard Rock, Metal, and Designated Mining Operations. On Monday, January 6, 2025, Climax identified a leak (approximately 13,000 gallons per minute (GPM)) on the Tailings Delivery Line (TDL), which it considered as a potential failure or imminent failure of an Environmental Protection Facility (EPF) pursuant to Rule 8.1(b). Climax left a voicemail with Environmental Protection Specialist Dustin Czapla at approximately 12:15 pm on January 7, 2025, and spoke with Environmental Protection Specialist Amy Yeldell at approximately 12:15pm on January 7, 2025, in accordance with Rules 8.2.1(a) and 3.1.13(1).

Description of Incident

The incident occurred at the Climax Mine located at Fremont Pass – Highway 91 Climax, CO 80429. Around 5:30 pm on January 6, 2025, a Climax tailings operator observed tailings leaking downgradient of Drop Tower 14 on the TDL. Climax Site Service redirected the deposition of tailings from the TDL to upgradient location of Clinton Cutout by 6:00 pm. It was determined that the Drop Tower lid had fallen into the Drop Tower and blocked discharge into TDL, which caused tailings material to fill and overflow the Drop Tower. All spill pathways were investigated, and it was determined that all tailings material was contained on an internal roadway and ultimately stopped, due to ponding and freezing, at five separate locations (see Attachment 1) and no material made its way off the site or into Waters of the State. Climax Site Services immediately began collecting the spilled tailings material and hauling it back to Mayflower TSF.

Attachment 1 depicts the location of Drop Tower 14, the spill pathways, and the farthest locations the spill traveled.

Required Information under Rule 8.2.3, paragraphs (a) through (e):

- (a) actions taken to respond to and correct the emergency situation or condition;

*Climax Response: The TDL at this segment was shut down and tailings were diverted to another location upgradient (Clinton Cutout). The condition of this Drop Tower was assessed for damage, and it was determined the lid of the Drop Tower had fallen into the Drop Tower and blocked tailings material from traveling out into the TDL downgradient which caused the Drop Tower to fill up and overflow the top. The damaged lid was removed from the Drop Tower after flow had been diverted to Clinton Cutout.*

- (b) any known or anticipated adverse impacts to human health, property or the environment;

*Climax Response: Given the location, cleanup, and nature of the tailings material that leaked from the TDL, there are no known or anticipated adverse impacts to human health, property, or the environment. Cleanup involves removal of residual tailings solids around Drop Tower 14 and placement of those materials in the Mayflower TSF. The Drop Tower will need backfilling with earthen material after the erosion caused by the tailings spill washout. All spilled tailings materials are being excavated and hauled back for disposal into Mayflower TSF.*

- (c) name(s), address(s), telephone numbers and e-mail address of the Operator's contact person for additional information and follow-up by the Office;

*Climax Response: Eric Detmer, Environmental Manager – [edetmer@fmi.com](mailto:edetmer@fmi.com), 719-427-0070  
Climax Mine  
Fremont Pass-Highway 91  
Climax, CO 80429*

- (d) monitoring and analyses that are necessary to evaluate the situation and corrective actions, copies of all pertinent data; and

*Climax Response: Ultimate containment of the leaked tailings was provided by the Mayflower TSF and the snow and earthen berms along the roadway. Climax is evaluating the most appropriate method to address any remaining/residual solids tailings materials on the land surface between Drop Tower 14 and the final locations of the tailings spill pathways. Removal work has already significantly been completed, but excavation and placement in the Mayflower TSF will continue until no tailings material remains on the roadway.*

- (e) results of the Operator's investigation to assess the conditions or circumstances that created the emergency situation, and what corrective or protective measures will be taken to prevent a similar event from occurring in the future.

*Climax Response: Climax does not interpret this event as an emergency situation because ongoing tailings generated by the Mill were diverted to another location, and this Drop Tower and associated section of the TDL were isolated and shut down within a short time of the initial leak discovery. The lid that fell into the Drop Tower causing the blockage was a new lid type that was lighter in weight for easier removal/access. Climax will not replace this type of lid, and the Drop Tower will remain uncovered until Climax determines the replacement lid design. It is not anticipated that the lack of cover will cause any problems with the operation of the Drop Tower.*

*Climax will continue implementing the following actions to maintain and operate the TDL:*

- Continue area inspections every shift*
- Continuation of annual visual inspections every year, walking the entire length of the TDL*
- Internal video inspections on 10-year frequency starting in 2021*



Please feel free to contact Eric Detmer (719-427-0070 or [edetmer@fmi.com](mailto:edetmer@fmi.com)) or me (720-285-0985 or [aungers@fmi.com](mailto:aungers@fmi.com)) if you need any further information regarding this matter. Thank you for your continued assistance with Climax Mine.

Sincerely,



Alex Ungers  
Environmental Chief

Attachment

# Attachment 1 – Location Map



Drop Tower 14 (Pink Dot) overflowed and spilled tailings material that followed pathways (Green Lines) and ultimately ponded and froze at five locations (Blue Dots). All spill material was contained on the roadway and has been recovered and hauled back for deposition in Mayflower TSF.