

Cazier, Tim

From: Kirby Hughes [kirbyhughes@mesanetworks.net]
Sent: Tuesday, May 01, 2012 4:53 PM
To: Cazier, Tim; Pineda, Loretta; Waldron, Tony
Cc: erin.eastvedt@gmail.com; 'Jeff Parsons'; kirk.cunningham@rmc.sierraclub.org; 'Will Walters'
Subject: Sierra Club/RMC Comments on M1980244, Amendment #10
Attachments: Comments on Amendment 10.doc

1 May 2012

Colorado Department of Natural Resources
Division of Reclamation, Mining and Safety
1313 Sherman St., Rm 215
Denver, CO 80203

RE: Cresson Project, Permit M-1980-244
Mine Life Extension 2 Application

To Whom It May Concern,

Following are our comments and questions on the proposed amendment to the existing mining operation referred to as the Mine Life Extension 2 (Amendment 10) for DRMS permit M-1980-244.

1. Ref: 00120120315142422; VOL 6, PART 4: STORM WATER PLAN MAP, SUMMARY TABLE
QUESTION:

The “Design Precipitation Depths and Return Period Criteria” for the 10 yr/24-hr event is 2.7 inches. MLE2 is designed to cover the period from 2016 – 2025, a period of 9 years. You have sized ponds for 2 times the 10 yr/24-hr discharge volume... . My [very rough] calculations show this volume of water to correspond to the discharge volume for a 90 yr/24-hr event (10 times the anticipated period for the mine life extension), and my question simply would ask whether you should consider designing ponds that are only marginally capable of handling the 100 yr/24-hr event, which could always occur in that 9-year mine life extension period? It seems to me that a safety factor of 10 is insufficient when considering the possible toxicities of the ponds’ fluids.

2. Ref: 00120120315142422; VOL 6, PART 4: STORM WATER PLAN MAP, SUMMARY TABLE
QUESTION:

Considering there may well be an “MLE3” (or another Amendment and/or Technical Revisions) requested in subsequent years – and perhaps even before the completion of MLE2 where reclamation becomes a dominant consideration - and recalling question 1 above, the risk for a 100 yr/24-hr event will be increased, so will the currently planned pond design allow for areal expansion for possible subsequent Amendment(s) and/or TRs?

3. Ref: 1385L.20120125; VOL. 2, Appendix 1: Table of Contents & Introduction
CLARIFICATION/REQUEST:

Per Section 2.6.3, item “3. After MLE2 Operations,” CC&V states “the liner systems of the valley leach facilities (“VLFs”) will be breached, and the surfaces reclaimed.” We feel strongly that this should not be accomplished, but have no historical data from other sites indicating this is the recommended approach to be used for dealing with a dormant and abandoned leachpad.

On the one hand, it can be argued that doing so would release a *very, very small amount of cyanide with a highly mineralized, heavy metal solution*, in order to render the area “more environmentally safe” and in a more natural condition than without puncture. In this case we’d believe CC&V would assume only a *very, very small amount of cyanide with a highly mineralized, heavy metal solution* would be resident within the leachpad after it had been thoroughly protectively rinsed prior to puncture. There was no mention *whatsoever* regarding protectively rinsing the leachpad (and to what degree the rinsing would occur) that we could find in the documentation. This is an issue.

On the other hand, puncturing the liner would indeed drain a *very, very small amount of cyanide with a highly mineralized, heavy metal solution* into local groundwater and perhaps into surface waters, too. By first protectively rinsing the leachpad, and then not puncturing it, CC&V would have a situation where “bad environmental additives” would be locked “in-situ” from environmental exposure. There’s a good case for doing this, then, too. In this situation, we’d a request statements on protectively rinsing the leachpad, and to what degree the rinsing would occur.

Generally, as the statement indicating the breach will occur has not substantiated by any supportive information, we request some [very good!] analyses indicating that puncturing the liner has substantially better environmental effects than not puncturing it, prior to making any definitive statements.

4. General

CLARIFICATION/REQUEST:

We request some clarification on the amount of mercury air emissions, requesting that they be within EPA limits, and that any emissions occur so as not to have a primary deposition over the towns of either Cripple Creek or Victor.

5. General

REQUEST:

As BLM lands are within the expanded boundaries of Amendment 10, CC&V must be able to demonstrate a right of entry to those BLM lands, having properly pre-negotiated this with the BLM.

6. General

REQUEST:

Regarding backfilling, we request that “economics” not be the criterion for that process, but that CC&V provide distinct and definite plans for backfilling some of the pits.

7. General

REQUEST:

In 2008 CC&V agreed to a 5-year minimum on post-mine-closure monitoring of the output from Carlton Tunnel, including bonding, and we request confirmation that this agreement will continue to be honored at the end of the proposed Amendment 10.

Thank you for your concern in addressing these issues with CC&V.

Yours,

Kirby Hughes, Conservation Co-Chair

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