

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215  
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John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta E. Pineda  
Director

August 16, 2013

Mr. Shannon P. Murphy  
Providence Mining, LLC  
100 W. Bennett Ave.  
Cripple Creek, CO 80813

**RE: Providence Mine, Permit No. M-2012-052  
Second Adequacy Review**

Dear Mr. Murphy:

The Division of Reclamation, Mining and Safety (Division) has reviewed the "Responses to July 3, 2013 Preliminary Adequacy Review – Environmental Protection Plan" prepared by C. A. Braun, received by the Division on July 26, 2013. Please be advised that if you are unable to satisfactorily address any concerns identified in this review before the decision date, it will be your responsibility to request an extension of the review period. If there are outstanding issues that have not been adequately addressed prior to the end of the review period, and no extension has been requested, the Division will deny this application.

The review consisted of comparing the application content with specific requirements of Rules 3, 6.1, 6.2, 6.3 and 6.5 of the Minerals Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations (Rule). Any inadequacies are identified under the respective exhibit heading along with suggested actions to correct them.

The original comment numbers have been retained for the purpose of tracking responses.

### APPLICATION

1. Items 8 and 9, Name of owner – The response to this comment is adequate.
2. Item 11, Primary Mine Entrance Location – The response to this comment is adequate.

### 6.3 SPECIFIC EXHIBIT REQUIREMENTS – 110d LIMITED IMPACT OPERATIONS

The following items must be addressed by the applicant in order to satisfy the requirements of C.R.S. 34-32-101 et seq. and the Mineral Rules and Regulations of the Mined Land Reclamation Board:

#### 6.3.1 EXHIBIT A – Legal Description

3. Please see Comment 2 above. No response necessary.
4. Range No. – Although the response indicated the range is 70W, Exhibit A was correctly changed to range 69W. The response to this comment is adequate.

#### 6.3.2 EXHIBIT B – Site Description

5. Third Paragraph – The response to this comment is adequate.
6. Last Paragraph – The response to this comment is adequate.

**6.3.3 EXHIBIT C – Mining Plan**

7. Affect on surface water quality – The Division requested analysis/test results that indicate no sulfide is present in the ore/waste rock material found to date in Comment #1a(i) of our “Second Adequacy Review – Environmental Protection Plan”, dated August 16, 2013. For future verification of the potential for acid producing material, the Division requests the Applicant commit in writing to performing an annual chemical characterization of both the waste rock and the ore. Please submit a testing/analysis plan for acceptance by the Division. The Division has accepted both Synthetic Precipitation Leaching Procedure (SPLP) and Meteoric Water Mobility Procedure (MWMP) for other operations. Your testing/analysis plan should include rationale for which method is proposed, how representative samples will be collected and when testing is expected to be performed.
8. Rule 6.3.3(1)... With the commitment requested in Comment # 7 above, the response to this comment is adequate.

**6.3.4 EXHIBIT D – Reclamation Plan**

9. Seed rates –Rule 6.3.4(1)(c)(iii) requires the Applicant “state the grass, forb, shrub and tree species to be planted and the applicable quantities. Specify the quantity of each grass and forb species as pounds of pure live seed per acre”. Should the Applicant wish to change the seed mix in the future for whatever reason, the Applicant/Operator may submit a technical revision for review by the Division. Please provide specific seed rates for the species prelisted on the second page of Exhibit D. In addition, the Division noted that on the second page of Exhibit B in the original application, cheatgrass is present. Cheatgrass is listed by the State of Colorado as a noxious weed and the Division is tasked with enforcing Operators to control noxious weeds. The Applicant should plan on developing a weed control plan to prevent the spread of cheatgrass and/or any other noxious weed species that may be found on site during inspections by the Division.

**6.3.5 EXHIBIT E - Map**

10. Map Scale – The response to this comment is adequate.
11. Mineral Rights vs. Surface Owners – The response to this comment is adequate.
12. Map E-1A Labels:
  - a) The response to this comment is adequate.
  - b) The response to this comment is adequate.
  - c) The response to this comment is adequate.
13. Reclamation Map – The reclamation plan map (Exhibit Map E-5) submitted is incomplete in that it does not show the full extent of the permit boundary for the Sangre de Christo Tunnel area. Please show the entire permit boundary area or provide a note on the map indicating no reclamation is planned for areas not shown on the map.

**6.3.6 EXHIBIT F - List of Other Permits and Licenses Required**

14. The responses to both Comments 14a and b are adequate.

**6.3.7 EXHIBIT G - Source of Legal Right to Enter**

15. The response to this comment is adequate.

**6.3.8 EXHIBIT H - Municipalities Within a Two Mile Radius**

The information provided for this Exhibit is adequate.

**6.3.9 EXHIBIT I - Proof of Filing with County Clerk**

The information provided for this Exhibit is adequate.

**6.3.10 EXHIBIT J – Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District**

16. The response to this comment is adequate.
17. The response to this comment is adequate.
18. Discrepancies between the list of owners ... Thank you for sending notices to the owners listed for MS13200, MS13965, and MS7611. Please provide mailing addresses mail “return” receipts for these owners. The remainder of the response to this comment is adequate.

**6.3.12 EXHIBIT L - Permanent Man-Made Structures**

19. The response to this comment is adequate.

**Additional Comments – Drawings**

20. Map E-1A – Please revise Map E-1A to include the existing silt retention trenches shown on the new Exhibit Map E-5, Reclamation Map and Plan.

Please be advised the Providence Mine Application may be deemed inadequate and the application may be denied on **September 6, 2013** unless the abovementioned adequacy review items are addressed to the satisfaction of the Division. If you feel more time is needed to complete your reply, the Division can grant an extension to the decision date. This will be done upon receipt of a written waiver of your right to a decision by **September 6, 2013** and request for additional time. This must be received no later than the deadline date.

If you have any questions, please contact me (303-866-3567 ext. 8169).

Sincerely,



Timothy A. Cazier, P.E.  
Environmental Protection Specialist

cc: Tom Kaldenbach, DRMS  
DRMS file  
Art Braun, Braun Environmental, Inc. (via email)