



# COLORADO

Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

October 4, 2017

High Speed Aggregate, Inc., Registered Agent  
High Speed Mining, LLC  
8480 E. Orchard Road  
Suite 4900  
Greenwood Village, Colorado 80111

Certified Mail Number: 7014 2870 0000 7699 7010

**RE: COMPLIANCE ADVISORY/REQUEST FOR INFORMATION  
FAIRPLAY AU PIT, PARK COUNTY**

Dear Sir or Madam:

The Water Quality Control Division ("Division") records establish that the Fairplay Au Pit (the "facility") located approximately one-third mile west of the Town of Fairplay, Park County, Colorado, may be subject to coverage under the Colorado Discharge Permit System ("CDPS") for discharges of stormwater.

On July 10, 2017, a representative of the Division ("inspector") conducted a joint site visit at the facility with the Division of Reclamation, Mining, and Safety ("DRMS"). During the site visit, the inspector observed conditions indicating the facility may be discharging stormwater that has come in contact with pollutant sources and/or disturbed areas associated with mining activity to surface water or beyond the permit boundary, which would require CDPS coverage. Potential pollutant sources that may be present at the facility include, but are not limited to:

1. Overburden;
2. Stockpiles;
3. Outward-facing slopes of un-stabilized perimeter berms;
4. Raw material;
5. Intermediate and/or finished product;
6. By products and/or waste materials;
7. Stormwater runoff from access roads used or traveled by carriers of raw material;
8. Manufactured products; and
9. Disturbed pre-mine law material.

Pursuant to 5 CCR 1002-61.3(2)(a), discharges of stormwater are point sources requiring a permit. Pursuant to 5 CCR 1002-61.3(2)(e), a stormwater discharge associated with industrial activity is required to obtain a permit and stormwater discharge associated with industrial activity includes, but is not limited to, stormwater discharges from immediate access roads used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility as well as areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

The Division is requesting the following information regarding operations and stormwater management at the facility:

1. A description of the industrial activities conducted at the facility.
2. A map of the facility location and a map/sketch showing all surface features (buildings, ponds, diversion ditches, stockpiles, processing areas, batch plants, other pollutant sources, etc.); stream location(s); direction(s) of water flow at the facility indicated by arrows (stormwater and process water).
3. What quantity of ore (cubic yards/year) is processed at the facility?



4. Is there potential for discharges of process water/comingled process water and stormwater from the facility?

*(The Division recognizes that High Speed Mining, LLC may have previously provided some or all of the above information to the Division or to DRMS. In order to ensure that the records are correct, and most importantly, up-to date-, the Division is requesting High Speed Mining, LLC review the records, consolidate the information, and resubmit/submit it to the Division in response to this request).*

Within 45 days of receiving this letter, please submit a response to this request to the Division at the following address:

Andrea Beebout  
Colorado Department of Public Health and Environment  
Water Quality Control Division  
Mail Code: WQCD-CWE-B2  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530

The information provided will be considered during review of High Speed Mining, LLC's operations. If the Division determines CDPS coverage is required at the facility, High Speed Mining, LLC will be encouraged to submit a permit application. Please be advised that the collection and evaluation of this information does not preclude the Division from pursuing enforcement options for violations of the Colorado Water Quality Control Act, if necessary.

If you believe the facility may be subject to CDPS coverage or you have questions regarding permits or permit requirements, please contact Kathleen Rosow at 303.692.3521 or by email at [kathleen.rosow@state.co.us](mailto:kathleen.rosow@state.co.us). If you have general questions regarding this matter, please contact me at 303.692.6498 or by email at [andrea.beebout@state.co.us](mailto:andrea.beebout@state.co.us).

Sincerely,



Andrea Beebout  
Enforcement Specialist  
Clean Water Enforcement Unit  
Water Quality Control Division

cc: Kathleen Rosow, Permits Section, CDPHE  
Kelly Jacques, Field Services Section, CDPHE  
Michael Cunningham, DRMS