



# COLORADO

Department of Public  
Health & Environment

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

October 4, 2017

Todd Sullivan, Registered Agent  
JRS Mining LLC  
291 Ridge Road  
Fairplay, CO 80440

Certified Mail Number: 7014 2870 0000 7699 7003

RE: COMPLIANCE ADVISORY/REQUEST FOR INFORMATION  
JRS MINING LLC, PARK COUNTY

Dear Mr. Sullivan:

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

According to Division of Reclamation, Mining and Safety ("DRMS") records, JRS Mining LLC has developed a Stormwater Management Plan ("SWMP") for the facility. The SWMP references earthen berms utilized as perimeter control measures for the facility, preventing stormwater from discharging. The SWMP does not address installation and maintenance specifications for the earthen berms, including prevention of stormwater discharges from outward-facing slopes of the earthen berms. In addition, the SWMP references the existing river crossing in place at the facility, but does not address specific control measures or practices implemented to prevent stormwater discharges from the road/river crossing into the Middle Fork South Platte River.

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. What quantity of ore (cubic yards/year) is processed at the facility?
3. What are the installation and maintenance specifications for perimeter earthen berms? Are the earthen berms vegetated?
4. What control measures/practices are in place to prevent a stormwater discharge from the access road(s) and river crossing?

*(The division recognizes that JRS Mining LLC may have previously provided some or all of the above requested 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 JRS 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 JRS Mining LLC's operations. If the Division determines CDPS coverage is required at the facility, JRS 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