

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Cross and Caribou Violations

Jacob Dyste - CDPHE <jacob.dyste@state.co.us>
To: Amy Eschberger - DNR <amy.eschberger@state.co.us>

Tue, Sep 21, 2021 at 3:21 PM

Hi Amy,

Thanks for chatting with me today. Attached is two years of effluent data for Cross and Caribou and the latest compliance advisory. I will keep you updated as we work through the enforcement process.

Please let me know if you have any questions.

Jacob

--

IMPORTANT COVID-19 INFORMATION:

- COVID-19 Frequently Asked Questions (including instructions for necessary changes to DMR reporting) can be found [HERE](#).
- The Enforcement Unit is operating remotely. During regular business hours, please contact me by email. Voicemails will be returned within one business day.

--

Jacob Dyste
Enforcement Specialist



COLORADO
Water Quality Control Division
Department of Public Health & Environment

Remote: 720.583.4562 (Preferred)
Office: 303.692.3290
4300 Cherry Creek Drive South, Denver, CO 80246
jacob.dyste@state.co.us | www.colorado.gov/cdphe/wqcd

24-hr Environmental Release/Incident Report Line: [1.877.518.5608](tel:18775185608)



2 attachments



Grand Island Resources Effluent Violations.pdf
70K



CO0032751 - CDPHERM WTR Compliance Advisory.pdf
447K



COLORADO
Department of Public
Health & Environment

August 20, 2021

CDPS Number: CO0032751
Grand Island Resources LLC
Ricahrd Mittasch, VP/Dir
PO Box 3395
Nederland, CO 80466

**RE: COMPLIANCE ADVISORY - REPORTED EFFLUENT VIOLATION
NOTICE OF SIGNIFICANT NON-COMPLIANCE
CROSS AND CARIBOU MINES, CO0032751**

Dear Sir or Madam:

Colorado Discharge Permit System, Permit No. CO0032751 (Permit) authorizes Grand Island Resources LLC to discharge treated wastewater subject to the specific effluent limitations of the permit. This compliance advisory is intended to advise you of alleged violations of the Colorado Water Quality Control Act.

The self-monitoring data provided on the Discharge Monitoring Reports for the above-referenced facility indicates significant noncompliance with the permit effluent limitations, as indicated in the attached Effluent Violation Report.

Due to the severity and/or persistence of these violations, the Water Quality Control Division (division) is initiating a process to determine whether a formal enforcement action is warranted. Please submit a response to this letter explaining:

- The cause of the non-compliance;
- The actions and measures you have taken or will be taking to abate the non-compliance; and,
- Any other relevant information.

Electronic correspondence is preferred. Please email your response to: jacob.dyste@state.co.us. Please address all paper correspondence (if applicable) to the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-B2-CWE
ATTN: Jacob Dyste
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

The division will evaluate the facts associated with Grand Island Resources LLC's non-compliance, and if a formal enforcement action is deemed necessary, you may be issued a Notice of Violation / Cease and Desist Order that may include the assessment of penalties. Pursuant to §25-8-608, C.R.S., any person who violates any provision of the Colorado Water Quality Control Act, or of any permit issued under the Act, or any control regulation promulgated pursuant to the Act, shall be subject to a civil penalty of up to \$54,833 per violation for each day during which such violation occurs.

(over)



Ricahrd Mittasch, VP/Dir
Grand Island Resources LLC, CO0032751
August 20, 2021

If you have any questions regarding this matter, please contact me at (303) 692-3290 or via email at jacob.dyste@state.co.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Dyste', with a stylized, cursive script.

Jacob Dyste
Enforcement Specialist
Clean Water Enforcement Unit
Water Quality Control Division

Enclosure: Effluent Violation Summary

cc: File Copy

Report #: CAEVRBX004

Created Date: March 2, 2012

Approved By:

Colorado Department of Public Health and Environment

Water Quality Control Division

Effluent Violation Report

Date of Report: 9/15/21

*** Query Name: Effluent Data ***

Major/Minor (Enter "Major" or "Minor") (Enter * to select all) *

Monitoring Period End Date From: 10/01/2019

Monitoring Period End Date To: 09/30/2021

Enter NPDES ID: (Optional) CO0032751

Matching NPDES ID: (Optional)

Primary Permit SIC Code: (Optional)

Outfalls: (Optional)

Parameter Desc: (Optional)

Enter Primary Permit SIC Code Not Equal to: (Optional)

Permit #		CO0032751											
Facility Name		CROSS AND CARIBOU MINES											
Permit Name		Grand Island Resources LLC											
Permit Status		Major/Minor Ind.	County	Primary SIC Code	Water Body:		COSPBO03	COON TRACK CREEK/NORTH BEAVER CREEK					
Admin Continued		Minor	Boulder	1041									
NPDES ID	Outfall	Mon Pd Start Date	Mon Pd End Date	Parameter	Rptd Value	Unit Desc	Limit Value	Stat Base Desc	% Exceed	Viol Code	NODI Code	RNC Detect Code	RNC Resolve Code
CO0032751	001A	10/1/19	10/31/19	01303 - Zinc, potentially dissolved	=284	ug/L	262	30DA AVG	8	E90		C	2
CO0032751	001A	10/1/19	10/31/19	01313 - Cadmium, potentially dissolvd	=2	ug/L	.89	30DA AVG	125	E90		T	2
CO0032751	001A	11/1/19	11/30/19	01303 - Zinc, potentially dissolved	=223	ug/L	202	30DA AVG	10	E90		C	2
CO0032751	001A	11/1/19	11/30/19	01313 - Cadmium, potentially dissolvd	=1	ug/L	.69	30DA AVG	45	E90		T	2
CO0032751	001A	12/1/19	12/31/19	01303 - Zinc, potentially dissolved	=223.5	ug/L	186	30DA AVG	20	E90		T	2
CO0032751	001A	12/1/19	12/31/19	01303 - Zinc, potentially dissolved	=226	ug/L	182	DAILY MX	24	E90		R	2
CO0032751	001A	1/1/20	1/31/20	01303 - Zinc, potentially dissolved	=219.5	ug/L	186	30DA AVG	18	E90		C	2
CO0032751	001A	1/1/20	1/31/20	01303 - Zinc, potentially dissolved	=342	ug/L	184	DAILY MX	86	E90		R	2
CO0032751	001A	1/1/20	1/31/20	01313 - Cadmium, potentially dissolvd	=3	ug/L	2.3	DAILY MX	30	E90			
CO0032751	001A	1/1/20	1/31/20	01318 - Lead, potentially dissolvd	=6.5	ug/L	3.8	30DA AVG	71	E90		T	2
CO0032751	001A	5/1/20	5/31/20	01303 - Zinc, potentially dissolved	=233	ug/L	208	DAILY MX	12	E90			
CO0032751	001A	5/1/20	5/31/20	01313 - Cadmium, potentially dissolvd	=2	ug/L	.62	30DA AVG	223	E90			
CO0032751	001A	5/1/20	5/31/20	01318 - Lead, potentially dissolvd	=10.5	ug/L	3.8	30DA AVG	176	E90		T	2

Report #: CAEVRBX004

Created Date: March 2, 2012

Approved By:

Colorado Department of Public Health and Environment

Water Quality Control Division

Effluent Violation Report

Date of Report: 9/15/21

*** Query Name:Effluent Data ***

Major/Minor (Enter "Major" or "Minor") (Enter * to select all) *

Monitoring Period End Date From: 10/01/2019

Monitoring Period End Date To: 09/30/2021

Enter NPDES ID: (Optional)CO0032751

Matching NPDES ID: (Optional)

Primary Permit SIC Code: (Optional)

Outfalls: (Optional)

Parameter Desc: (Optional)

Enter Primary Permit SIC Code Not Equal to: (Optional)

NPDES ID	Outfall	Mon Pd Start Date	Mon Pd End Date	Parameter	Rpted Value	Unit Desc	Limit Value	Stat Base Desc	% Exceed	Viol Code	NODI Code	RNC Detect Code	RNC Resolve Code
CO0032751	001A	6/1/20	6/30/20	01318 - Lead, potentially dissolvd	=6	ug/L	5.4	30DA AVG	11	E90		V	2
CO0032751	001A	9/1/20	9/30/20	01306 - Copper, potentially dissolved	=30	ug/L	28	DAILY MX	7	E90			
CO0032751	001A	12/1/20	12/31/20	01318 - Lead, potentially dissolvd	=4.4	ug/L	3.8	30DA AVG	16	E90		V	1
CO0032751	001A	1/1/21	1/31/21	01304 - Silver, potentially dissolved	=.4	ug/L	.12	30DA AVG	233	E90			
CO0032751	001A	1/1/21	1/31/21	01306 - Copper, potentially dissolved	=34.5	ug/L	13	30DA AVG	165	E90		T	1
CO0032751	001A	1/1/21	1/31/21	01306 - Copper, potentially dissolved	=37	ug/L	18	DAILY MX	106	E90			
CO0032751	001A	1/1/21	1/31/21	01318 - Lead, potentially dissolvd	=10	ug/L	3.8	30DA AVG	163	E90		T	1
CO0032751	001A	3/1/21	3/31/21	01306 - Copper, potentially dissolved	=46.75	ug/L	13	30DA AVG	260	E90		T	1
CO0032751	001A	3/1/21	3/31/21	01306 - Copper, potentially dissolved	=85	ug/L	19	DAILY MX	347	E90			
CO0032751	001A	4/1/21	4/30/21	01306 - Copper, potentially dissolved	=50	ug/L	20	DAILY MX	150	E90			
CO0032751	001A	4/1/21	4/30/21	01318 - Lead, potentially dissolvd	=6.2	ug/L	3.6	30DA AVG	72	E90		T	1
CO0032751	001A	6/1/21	6/30/21	01318 - Lead, potentially dissolvd	=12	ug/L	5.4	30DA AVG	122	E90		T	1
CO0032751	001A	7/1/21	7/31/21	01318 - Lead, potentially dissolvd	=8	ug/L	4.6	30DA AVG	74	E90			
CO0032751	001X	10/1/19	12/31/19	TKP3B - Static Renewal 7 Day Chronic Ceriodaphnia dubia	=32.5	tox chronic	52	MN VALUE	38	E90			
CO0032751	001X	1/1/21	3/31/21	TKP3B - Static Renewal 7 Day Chronic Ceriodaphnia dubia	=39.3	tox chronic	73	MN VALUE	46	E90			

Report #: CAEVRBX004

Created Date: March 2, 2012

Approved By:

Colorado Department of Public Health and Environment

Water Quality Control Division

Effluent Violation Report

Date of Report: 8/12/21

*** Query Name: Effluent Data ***

Major/Minor (Enter "Major" or "Minor") (Enter * to select all) *

Monitoring Period End Date From: 01/01/2021

Monitoring Period End Date To: 06/30/2021

Enter NPDES ID: (Optional)

CO0000051;CO0032751;CO0038954;CO0047554;CO0048938;CO049017

Matching NPDES ID: (Optional)

Primary Permit SIC Code: (Optional)

Outfalls: (Optional)

Parameter Desc: (Optional)

Permit #	CO0032751												
Facility Name	CROSS AND CARIBOU MINES												
Permit Name	Grand Island Resources LLC												
Permit Status	Major/Minor Ind.	County	Primary SIC Code	Water Body:	COSPBO03	COON TRACK CREEK/NORTH BEAVER CREEK							
Admin Continued	Minor	Boulder	1041										
NPDES ID	Outfall	Mon Pd Start Date	Mon Pd End Date	Parameter	Rptd Value	Unit Desc	Limit Value	Stat Base Desc	% Exceed	Viol Code	NODI Code	RNC Detect Code	RNC Resolve Code
CO0032751	001A	1/1/21	1/31/21	01304 - Silver, potentially dissolved	=.4	ug/L	.12	30DA AVG	233	E90			
CO0032751	001A	1/1/21	1/31/21	01306 - Copper, potentially dissolved	=34.5	ug/L	13	30DA AVG	165	E90		T	1
CO0032751	001A	1/1/21	1/31/21	01306 - Copper, potentially dissolved	=37	ug/L	18	DAILY MX	106	E90			
CO0032751	001A	1/1/21	1/31/21	01318 - Lead, potentially dissolvd	=10	ug/L	3.8	30DA AVG	163	E90		T	1
CO0032751	001A	3/1/21	3/31/21	01306 - Copper, potentially dissolved	=46.75	ug/L	13	30DA AVG	260	E90		T	1
CO0032751	001A	3/1/21	3/31/21	01306 - Copper, potentially dissolved	=85	ug/L	19	DAILY MX	347	E90			
CO0032751	001A	4/1/21	4/30/21	01306 - Copper, potentially dissolved	=50	ug/L	20	DAILY MX	150	E90			
CO0032751	001A	4/1/21	4/30/21	01318 - Lead, potentially dissolvd	=6.2	ug/L	3.6	30DA AVG	72	E90		T	1
CO0032751	001A	6/1/21	6/30/21	01318 - Lead, potentially dissolvd	=12	ug/L	5.4	30DA AVG	122	E90		T	1
CO0032751	001X	1/1/21	3/31/21	TKP3B - Static Renewal 7 Day Chronic Ceriodaphnia dubia	=39.3	tox chronic	73	MN VALUE	46	E90			