



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

April 5, 2022

Ms. Melissa Harmon
Cripple Creek & Victor Gold Mining Company
P.O. Box 191
Victor, CO 80860

RE: Division Adequacy Review No. 2; Technical Revision 129 (TR-129) Proposed Numeric Protection Levels and Site Compliance Well Identification, Permit No. M-1980-244

Dear Ms. Harmon,

On December 2, 2021, the Division of Reclamation, Mining and Safety (Division/DRMS) received your request for Technical Revision 129 (TR-129). After review of your responses, dated March 17, 2022, to the Division's Adequacy Review the following list of items need to be addressed.

Proposed Numeric Protection Limits:

1. The operator states they will be supplementing this TR with proposed numeric protection limits (NPLs) for the points of compliance. Please note that any NPLs proposed by the Operator must comply with the criteria outlined in WQCC's Regulation No. 41 – The Basic Standards of Ground Water. As an implementing agency under Regulation No. 41, the Division is exercising its discretion to review the prior setting of NPLs at the site to determine whether or not the NPLs are representative of existing water quality as of January 31, 1994, taking into account location, sampling date and quality of all available data.

CC&V Response: CC&V is currently doing the technical review necessary to supplement the TR with proposed NPLs for identified groundwater basins at the site, which would be applicable at the points of compliance.

DRMS Response: The Division will evaluate whether it is appropriate to supplement the current TR (TR-129) or submit a separate TR to review the NPL submittal.

2. **Response was adequate.**

Background:

3. Please update the table provided in the response with an additional column for the proposed point-of-compliance for each basin.



4. Response was adequate.

Points of Compliance:

5. On Figure 1 it appears WCMW- 6 is located on the west side of the ephemeral drainage that drains to Wilson Creek, is this the correct location of the well? A review of historic aerial imagery and the DWR website indicate the well may be located on the other side of the drainage.

Figure 2 needs to be revised to show the potentiometric surface of the alluvial water bearing zone on one figure and the deeper bedrock aquifer on another figure.

On all figures please indicate what the water elevation is at each well that is used to generate the contour map.

6. The proposed point-of-compliance wells in Grassy Valley, GVMW-22A and -22B, may not be accurately positioned to monitor the migration of potentially affected groundwater beyond the permit boundary. Currently, GVMW-22A and -22B are located on the northern flank of the valley floor uphill from an ephemeral incised drainage or thalweg. The Division infers affected alluvial groundwater is possibly passing through the system unmonitored closer to the thalweg or to the south of the thalweg. Recent monitoring results from GVMW-25 showed a substantial increase in analyte concentrations. Taking into account a delayed response, the Division anticipated some reaction to be detected in GVMW -22B, at a minimum, and yet to date no corresponding increase in concentrations has been detected in either well. During TR-97, for the installation of GVMW-25, the Division expressed its concern that if the well was located on the north side of the thalweg, it would not be able to detect affected groundwater, and recommended the well be located between the ECOSA and the thalweg. The Division believes the point-of-compliance well(s) for Grassy Valley needs to be located closer to the thalweg, south of the currently proposed point-of-compliance location.

7. Response was adequate.

8. The Division recommends quickly communicating the results of the drilling program for locating SGMW-8 in the event the drilling program produces unforeseen conditions.

This concludes the Division's Adequacy Review of TR-129 Proposed Numeric Protection Levels and Site Compliance Well Identification. The Division reserves the right to further supplement this document with additional items and/or details as necessary.

The due date for your response has been set for April 9, 2022.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567**

x8114, or by email at patrick.lennberg@state.co.us. If you need additional information or have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Lennberg". The signature is fluid and cursive, with the first name "Patrick" written in a larger, more prominent script than the last name "Lennberg".

Patrick Lennberg
Environmental Protection Specialist

cc: Justin Raglin, Cripple Creek & Victor Gold Mine
Ronald Parratt, Cripple Creek & Victor Gold Mine
Katie Blake, Cripple Creek & Victor Gold Mine
Michael Cunningham, DRMS
Amy Eschberger, DRMS
Elliott Russell, DRMS
Tim Cazier, DRMS