

STATE OF  
COLORADO

Eschberger - DNR, Amy &lt;amy.eschberger@state.co.us&gt;

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## TR 129 - Adequacy Review #4

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Norma Townley &lt;Norma.Townley2@newmont.com&gt;

Thu, Aug 4, 2022 at 1:34 PM

To: Amy Eschberger - DNR &lt;Amy.Eschberger@state.co.us&gt;

Cc: "Cunningham - DNR, Michael" &lt;Michaela.Cunningham@state.co.us&gt;, Patrick Lennberg - DNR &lt;Patrick.Lennberg@state.co.us&gt;, "Crepeau, Michael" &lt;CrepeauM@co.teller.co.us&gt;, Ronald Parratt &lt;Ronald.Parratt@newmont.com&gt;, Katie Blake &lt;Katie.Blake@newmont.com&gt;, Norma Townley &lt;Norma.Townley2@newmont.com&gt;

Ms. Eschberger, attached please find our Fourth Adequacy Review Response; TR 129 Proposed Numeric Protection Levels and Site Point of Compliance Well Identification, Permit No. M-1980-244. If you have any questions or concerns please reach out to [Ronald.Parratt@Newmont.com](mailto:Ronald.Parratt@Newmont.com) or [Katie.Blake@Newmont.com](mailto:Katie.Blake@Newmont.com). Thank you.



### *Norma Townley*

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SENT VIA ELECTRONIC COMMUNICATIONS

Aug 5, 2022

Ms. Amy Eschberger  
Environmental Protection Specialist  
Colorado Department of Natural Resources  
Division of Reclamation, Mining and Safety  
Office of Mined Land Reclamation  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

**RE: Permit No. M-1980-244; Cripple Creek & Victor Gold Mining Company; Cresson Project;** Fourth Adequacy Review Response; Technical Revision 129 (TR-129) Proposed Numeric Protection Levels and Site Point of Compliance Well Identification, Permit No. M-1980-244

Ms. Eschberger:

Cripple Creek and Victor Gold Mining Company (CC&V) received the Division of Reclamation, Mining, and Safety (DRMS) fourth adequacy review response to Technical Revision 129 (TR-129) for Permit No. M-1980-244. CC&V has reviewed the comments issued in the letter dated July 25, 2022 from DRMS and has prepared responses for each comment. The DRMS adequacy review comments (*in italics*) and CC&V's corresponding response (**in bold**) are presented below.

**Proposed Numeric Protection Limits:**

- 1. The Division has decided the statistical analysis of site data to evaluate potential numeric protection limits (NPLs) for each drainage at the site will be separated from TR-129 and address in another Technical Revision. Therefore, no further information pertaining to NPLs is required for TR-129. The Division will contact the Operator to discuss a timeline for submitting the required Technical Revision.*

**Cripple Creek & Victor Gold Mining Company acknowledges Item #1 in the fourth Division Adequacy Review dated July 25, 2022. This item indicates that the Division has decided the analysis of site data to evaluate potential numeric protection limits (NPLs) for each drainage at the site will be addressed in a separate Technical**

## **Revision.**

**CC&V does not object to the Division's plan to separate the proposed Points of Compliance (POCs), close TR-129 without NPLs, and subsequently propose NPLs in a future Technical Revision. Based on discussions with the Division, CC&V understands that the Division does not intend to pursue any enforcement actions regarding POCs until the NPLs are fully established and accepted. CC&V agrees that NPLs are necessary for the Division to implement Water Quality Control Commission Regulation, Section 41.5.C.6 "Interim Narrative Standard," by determining whether the applicable groundwater standards are equal to the table value standards in Tables 1 through 4 of the Basic Standards for Groundwater, or the existing ambient quality as of January 1, 1994.**

**CC&V also agrees to prepare and submit a Technical Revision with proposed NPLs within a reasonable timeframe, to be determined through future discussions with DRMS. CC&V has engaged a qualified consultant to review water quality data, conduct statistical analysis of site data, and propose NPLs for each drainage at the site for review by the Division. CC&V will coordinate discussions between the Division, the selected consultant, and the site personnel to facilitate completion of the Technical Revision within a reasonable and agreed upon timeframe.**

## **Points of Compliance:**

- 2. The Division requested a timeframe for drilling and installing the new point of compliance (POC) wells. The operator stated the drilling and construction of these wells is planned for 2022, but that the schedule cannot be provided at this time as the Operator is just initiating the process to retain the necessary contractors. The Operator has known since the submittal of TR-120 in December 2021 that new POC wells need to be installed at the site. Additionally, discussions between the Operator and the Division about the need for new wells were ongoing prior to December 2021. Therefore, the Division believes the Operator has had ample time to secure a drilling contractor for the drilling and installation of the new POC wells. Accordingly, please commit to including the new POC wells approved in TR-129 in the quarterly sampling program no later than the second quarter of 2023. Please be advised, a failure to meet this timeframe without sufficient justification may result in an enforcement action for failure to protect the hydrologic balance.*

**CC&V commits to include the new POC wells approved through this Technical Revision in the quarterly sample program no later than the second quarter of 2023**

**and will notify DRMS upon completion. A contractor has been secured to initiate the work as of July 2022.**

Should the Division required further information regarding the above responses, please do not hesitate to contact Ronald Parratt at 719-851-4019 or [Ronald.Parratt@Newmont.com](mailto:Ronald.Parratt@Newmont.com) or me at 719-851-4048 or [Katie.Blake@Newmont.com](mailto:Katie.Blake@Newmont.com).

Sincerely,

DocuSigned by:  
  
5A3D013B629844B...

Katie Blake  
Sustainability & External Relations Manager  
Cripple Creek & Victor Mine

EC: M. Cunningham – DRMS  
A. Eschberger – DRMS  
P. Lennberg  
M. Crepeau – Teller County  
R. Parratt – CC&V  
K. Blake - CC&V

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