



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

March 17, 2023

Lori Smith
Cripple Creek & Victor Gold Mining Company
P.O. Box 191
Victor, CO 80860

Re: Outstanding Compliance Problem, Cresson Project, Permit No. M-1980-244

Dear Lori Smith,

On January 31, 2023 the Division of Reclamation, Mining and Safety (Division) issued a Partial Approval/Denial for Technical Revision TR130 submitted to the Division on January 20, 2022, addressing stormwater control improvements in the vicinity of the High Grade Mill (HGM). TR130 was submitted to resolve a Compliance Problem, cited in the September 30, 2021 report (copy attached) for the August 10, 2021 inspection. The Division's partial approval of TR130 did not resolve the Compliance Problem and the issue with the current HGM stormwater controls is still outstanding. Therefore, the Division is re-citing the compliance problem.

Furthermore, through the review process of TR130, the Division's concerns regarding the HGM liner's ability to impound and store impacted water reemerged as the Operator was unable to demonstrate as-built volumes and sill elevations. Additionally, the Operator submitted sampling results demonstrating acidic pH water is currently stored on the HGM liner. Therefore, in accordance with Rule 7.2.8, the Office finds that the approved Environmental Protection Plan is not adequate to comply with the Act and Rules for protection of human health or property or the environment.

A revision shall be submitted within 120 days of the date of this letter to address this outstanding issue, due on or before July 17, 2023. The revision shall address modifying the HGM liner to adequately control intercepted stormwater and shall demonstrate compliance with Rule 6.4.21(7). In the event the Operator wishes to continue to impound impacted water, the Division will treat the HGM liner similar to the liners which comprise the Process Solution Storage Areas (PSSA) of both of the Valley Leach Facilities (VLF), where at a minimum the following needs to be implemented: redundant pumping, reserve storage capacity above normal operating levels plus the design storm event, and leak detection. Alternatively, the Operator may avoid these measures by modifying the HGM liner to allow impacted water to flow freely into VLF2 without being impounded; in this case, the HGM's dual liner system would serve the same role as other facility liners (ADR1, PSES), as well as the areas of the VLFs above the PSSAs. A free flowing HGM Liner would also address the Division's final reclamation concerns regarding the impoundment of stormwater on the HGM liner as this water will be allowed to flow freely into VLF2 and then into the diatreme closure drains.

If you have any questions, please contact me at 303-866-3567 x8132 or elliott.russell@state.co.us.

Sincerely,

Elliott R. Russell
Environmental Protection Specialist

Ec: Katie Blake, CC&V
Johnna Gonzalez, CC&V
Michael Cunningham, DRMS

