Newmont
NORTH AMERICA

Cripple Creek & Victor
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SENT VIA ELECTRONIC COMMUNICATION

May 2, 2024

Mr. Patrick Lennberg
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: Additional Information Required, Draft Grassy Valley Weekly Surface Water Monitoring Report April 15, 2024; Permit No. M-1980-244

Dear Mr. Lennberg:

Cripple Creek and Victor Gold Mining Company (CC&V) received the Division of Reclamation, Mining, and Safety's (DRMS) *Additional Information Required, Draft Grassy Valley Weekly Surface Water Monitoring Report April 15, 2024; Permit No. M-1980-244.* CC&V has reviewed the additional information required in the letter dated April 25, 2024, from DRMS and has prepared the following responses. The DRMS comment (**in bold**) and CC&V's corresponding response (*in italics*) is presented below.

1. **Please provide a detailed discussion on why it took so long to receive the rush analytical results.**

The sample was collected on 4/15/24 and shipped out the same day via overnight shipping. CC&V contacted SVL on 4/15 to discuss anticipated turnaround times. CC&V communicated to the Division on 4/15 that final results weren't anticipated to be delivered until Friday 4/19. The sample arrived at the laboratory on 4/16 and the analysis began. CC&V received draft results on 4/17 and requested certain non-detect constituents be reported down to the method detection limit (MDL). CC&V received the revised draft results on 4/18 from SVL and requested another test method of mercury to potentially lower the reporting limit. CC&V was informed on 4/22 that the full analyte suite, including the MDL reporting and low-level mercury test, was completed and was under peer review. Also, on 4/22 it was communicated that the WAD Cyanide run had an issue and needed to

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be re-analyzed but the other analytes had passed the peer review process. Once assurance of the successful peer review on all results (except WAD Cyanide) CC&V distributed draft results on 4/23 to the Division. After numerous re-runs of the WAD cyanide, final lab results were distributed to CC&V on 4/26. The following is the responses from SVL Inc. received by CC&V on 4/25 explaining the delay in delivery of results:

"In general, most analyses that do not require extraction do not take more than 48 hours to perform, assuming they can be prepped right away put on the instrument right away, which often isn't possible. There are a lot of reasons why we could not perform a 24 hour rush on this analysis list in particular excluding the cyanide issue we are still currently dealing with. One of the main reasons is the fact that many of the analyses requested are run on the same instrument, but cannot be run at the same time, as we discussed on the phone when you called to ask about the potential for a 24 hour TAT. For example, TKN and Ammonia along with another analysis are run on alternating days because they are run by the same analyst on the same instrument. Free and total Cyanide are run on the same instrument by the same analyst on alternating days as well. Sulfide analysis is run by the same analyst as Hexachrome and she also runs a couple of other analyses on top of those. TDS/TSS analysis takes a minimum of two days due to the time it takes to filter and cook, cool, and analyze the samples. TR metals require digestion before analysis, which can be time consuming and depending on when the samples digestion is completed that can spill over into the second day. While it is possible to achieve if the stars align, in general we do not promise 24 hour rushes on anything that requires digestion, including TR metals and Total mercury analysis. We simply do not have the staff or the instrumentation to pull off a 24 hour rush on this list. "

2. **Please provide documentation, e.g. a copy of the signed Chain-of-Custody, that clearly indicates the Operator requested rush analysis of the sample**.

A copy of the requested Chain-of-Custody is included as Attachment 1.

3. **Please provide a copy of the field sheet for the GV-06 surface water sample collected on 4/15/2024.**

A copy of the requested sampling log is included as Attachment 2.

4. **On the draft results table provided the Phosphorus exceedance is not bolded. Please correct and resubmit.**

The final version of the results table is included as Attachment 3.

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5. **Please explain how the chlorine result is invalid due to exceeding regulatory hold time on a rush sample.**

The maximum hold time for chlorine analysis per SM-4500-Cl-F is 15-minutes and is therefore out of hold prior to arriving at the laboratory for analysis.

6. **The footnote and chronic concentration of Arsenic (T) 0.005 mg/L needs additional explanation. In Regulation No. 32 – Classifications and Numeric Standards for the Arkansas River Basin (5 CCR 1002-32), pursuant to Section 32.6(2)(c)(i), the temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/L that has been set to protect the Water + Fish qualifier is listed in the Other column in Appendix 32-1 tables as As(ch)=hybrid. The Division interprets this to indicate the Arsenic (T) chronic value is 0.02 µg/L, same value used in prior surface water result tables for GV-06, not 0.005 mg/L.**

   Please explain how the Operator arrived at the 0.005 mg/L concentration.

   The given reference to Section 32.63 appears to explain why the temporary modification for Arsenic was extended but does not appear to change the As(ch)=hybrid in 32.6(2)(c)(i), please comment.

In CCR 1000-32 32.6(2)(c)(i) "The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/L that has been set to protect the Water + Fish qualifier is listed in the other column in Appendix 32-1 tables as As(ch)=hybrid." This is reference clarifying that the temporary modification is in place for the segment in question.

Since there is no associated discharge permit for Grassy Valley which would define "current conditions" 32.6(2)(c)(ii) does not apply. CC&V applied the temporary modification set in 32.6(2)(c)(iii) of 0.02-3.0 µg/L.

> *"a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.*
> *(b) The second number in the range is a technology-based value established by the Commission for the purpose of this temporary modification.*
> *(c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality*

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target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range."

Following Regulation 32.6(2)(c)(iii) guidance, CC&V applied the second number in the range (3.0 ug/L), as it is the technology-based value established by the Commission for the purpose of this temporary modification. CC&V incorrectly listed the technology-based value as 5 µg/L and has revised to 3 µg/L in Attachment 3. Additionally, the arsenic result is below laboratory reporting limits. According to WQCD 2026 303(d)- Listing Methodology section IV (A) "For assessment, non-numeric values (except for E. coli data), will be treated as zeros for assessment purposes".

7. **A review of 5 CCR 1002-32, section 32.5(3) for Uranium indicates the values being used in the table provided are incorrect. Since stream segment COARUA24, mainstem of East and West Beaver Creeks, including all tributaries and wetlands, from the source to the confluence with Beaver Creek; mainstem of Beaver Creek from the source to the point of diversion to Brush Hollow Reservoir, has a classification of Water Supply the standard to be used should be between 16.8-30 µg/L. A response is required.**

The revised standard of 16.8 µg/L as the ambient water quality target has been updated in Attachment 3 and the non-detect result of <10 µg/L is compliant with the standard.

Should the Division require further information regarding the above responses, please do not hesitate to contact Josh Adams at 719-323-0438 or Joshua.Adams@Newmont.com or me at 719-851-4048 or Katie.Blake@Newmont.com.

Sincerely,

DocuSigned by:
Katie Blake
5A3D013B629844B...

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

EC: M. Cunningham – DRMS
E. Russell – DRMS
Z. Trujillo - DRMS
K. Blake - CC&V
J. Gonzalez – CC&V
J. Adams – CC&V

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Attachment 1

Work Order: X4D0271
Newmont - Cripple Creek & Victor

FOR SVL USE ONLY
SVL Work Order #

Receipt:

CHAIN OF CUSTODY RECORD

SVL Analytical, Inc. • One Government Gulch • Kellogg, ID 83837 • (208) 784-1258 • FAX:

Report to Company: Newmont - CC&V
Contact: Joshua Adams
Address: P.O. Box 191
100 North 3rd street, Victor, CO 80863
Phone Number:
FAX Number:
E-mail: Joshua.Adams@newmont.com

Invoice Sent To:
Contact:
Address:
Phone Number:
FAX Number:
PO#:

0.8°

Table 1. -- Matrix Type
1 = Surface Water, 2 = Ground Water
3 = Soil, 4 = Sediment, 5 = Rock, 6 = Rinsate, 7 = Oil
8 = Waste, 9= Other:

Project Name: CC&V
Sampler's Signature:

Indicate State of sample origination: CO

Sample ID	Collection			Misc.		Preservative(s)								Analyses Required										Comments	
Please take care to distinguish between: 1 and I, 2 and Z, 5 and S, Ø and O. Thanks!	Date	Time	Collected by: (Init.)	Matrix Type (From Table 1)	No. of Containers	Unpreserved	HNO_3 Filtered	HNO_3 Unfiltered	Zn Acetate + NaOH	LLHG Kit Unpreserved	H_2SO_4	NaOH	Other (Specify) Cr+6 Hex Chrome	Carlton Tunnel 2023	Fourmile Cr. Springs 2023	Surface Water Analysis	Groundwater Analysis	CT Metals	GV Surface Water Analysis	WAD Cyanide			Rush Instructions (Days)		PH	Temp C
1 GV-06	4.15.24	1:45	PB	1		1	1	1	1	1	1	1	1						X				24hr		6.57	2.1
2																									
3																									
4																									
5																									
6																									
7																									
8																									
9																									
10																									

Relinquished by: Paulina Barela	Date: 4.15.24	Time: 4:30	Received by:	Date: 4/16/24	Time: 915
Relinquished by:	Date:	Time:	Received by:	Date:	Time:

* Sample Reject: ☐ Return ☐ Dispose ☐ Store (30 Days)

White: LAB COPY Yellow: CUSTOMER COPY

SAMPLE RECEIPT/CHAIN-OF-CUSTODY CHECKLIST

The following items were checked for completeness, correctness, and compliance to project specifications using the Chain-of-Custody (COC) and other supporting information.

Date of acceptance: 4/16/24 **By:** CR Seevy

SVL Work No: X400271

Item	Description	V	NA	Comments
1	Client or project name	✓		Cripple Creek
2	Date and time of receipt at lab	✓		4/16/24 915
3	Received by	✓		CR Seevy
4	Temperature blank or cooler temperature	✓		Temp. 0.8 °C T098/T126
5	Were the sample(s) received on ice	✓		
6	Custody tape/bottle seals		✓	
7	Shipper's air bill	✓		1Z9X89898446298465
8	Condition of samples upon receipt (leaking; bubbles in VOA vials)	✓		good
9	Analysis requested for each sample	✓		
10	Sample matrix description	✓		
11	The correct preservative for the analysis requested	✓		
12	Did an SVL employee preserve sample(s) upon receipt		✓	
13	Additional Information		✓	

V- Verified **NA- Not**

Comments:

5-PD Door- 0711 ID 838 0- 01
AAY83528UPS ID 83837

1Z9X89898446298465
1532981 Apr 16 00:10:49 2024 HIPPS 24.3.1 US 9159 N

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Attachment 2

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Surface Water Sampling Log

Date: 4-15-24

Location: GV-06

Quarter: 2

Technician: R. Barela

Time	pH (S.U.)	Cond (uS/cm)	Temp. °C	Notes
1:45	6.57	189.2	2.1	ORP 171

Sample Method: Grab

Oil/Gas visible [Y / (N)]

Turbid [(Y) / N] Slight dirt

Clear [(Y) / N]

Weather: 49° clear, windy

Signature:

Comments:

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Attachment 3

GV-06

Sample Date: 4/15/2024

Data for Calculations:		
pH	6.57	std units
Hardness	76.4	mg/L
Temperature	2.1	Celsius

Regulation 32 (5 CCR 1002-32) COARUA24 Standards			GV-06 Results
Physical	**Acute**	**Chronic**	**Physical**
pH (std. units)	6.5 - 9.0	---	6.57
Temperature (^{o}C)	< 21.7	< 17	2.1
Inorganic	**Acute (mg/L)**	**Chronic (mg/L)**	**Inorganic**
Ammonia	6.598	31.701	0.082
Boron	0.750	---	<0.0400
Chloride	250.000	---	5.13
Chlorine	0.011	0.019	-
Cyanide (Free)	---	0.005	<0.0050
Nitrate	---	10.000	0.722
Nitrite	0.050	---	<0.050
Sulfide	0.002	---	<0.040
Sulfate	250.000	---	18
Phosporus	0.110	---	**0.166**
Metals	**Acute (mg/L)**	**Chronic (mg/L)**	**Metals**
Arsenic	0.34000	---	<0.00100
Arsenic (T)	---	0.00300	<0.00100
Cadmium	0.00139	0.00059	<0.000100
Cadmium (T)	0.00500	---	<0.000100
Chromium (III)	---	0.05945	<0.0110
Chromium (III) (T)	0.05000	---	<0.0160
Hexavalent Chromium	0.01600	0.01100	<0.0100
Copper	0.01043	0.00712	0.00088
Iron	---	0.30000	**0.74**
Iron (T)	---	1.00000	**2.19**
Lead	0.04812	0.00188	<0.00020
Lead (T)	0.05000	---	0.00091
Manganese	2.72961	1.50812	**1.89**
Mercury (T)	---	0.00001	0.00000536
Molybdenum (T)	---	0.15000	<0.0080
Nickel	0.37287	0.04141	<0.0100
Nickel (T)	---	0.10000	<0.0100
Selenium	0.01840	0.00460	<0.00100
Silver	0.00128	0.00005	<0.000061
Uranium	1.78556	1.11531	0.000533
Zinc	0.01680	0.01680	<0.0100

Temporary Modification for chronic arsenic concentration applied. See Regulation 5 CCR 1002-32 32.6 (2)(c)(iii)

Bold text indicates that an Acute and/or Chronic standard has been exceeded.

- Invalid results, past regulatory hold time