

May 30, 2024

Johan Van Huyssteen
Cripple Creek & Victor Gold Mining Company
P.O. Box 191
Victor, CO 80860

Re: Additional Information Required, Grassy Valley Groundwater and Surface Water Monitoring Report April 2024; Permit No. M-1980-244

Dear Johan Van Huyssteen:

On May 28, 2024, the Division of Reclamation, Mining and Safety (Division/DRMS) received the monthly monitoring report for surface water and groundwater samples collected in Grassy Valley in April 2024. After review of the submission the Division has additional items that need to be addressed or clarified.

1. EMP basins -16, -17A, and -17B all have exceedances of groundwater NPLs and TVS. These basins are a continued sources of contamination to groundwater and surface water. Additionally, the analyte concentrations and low pH values are potential hazards to wildlife.

The Operator, CC&V, shall remove the water from all basins within 7 days of the date of this letter. The Operator shall provide photo documentation that the basins have been pumped dry and provide a description of where the removed water was disposed.

2. EMP-17 has a pH value of 6.19. While this value is above the groundwater NPL of 6.0 it is below the 6.5 value for surface water in Grassy Valley.

The Operator shall remove the water from all basins within 7 days of the date of this letter. The Operator shall provide photo documentation that the basins have been pumped dry and provide a description of where the removed water was disposed.

3. During the inspection on May 28, 2024 the Division observed two areas of standing water (Attachment 1). The first area is between EMP-17 and EMP-17B (EMP-17C) and on the northeast side of EMP-17 (EMP-17D). These areas do not have an official designations nor do they appear to be constructed to contain water. The Division has designated these areas as EMP-17C and EMP-17D for this review. A review of aerial imagery from Google Earth dated October 2023 shows

EMP-17C holding water while EMP-17D is dry (Attachment 1). The Division's aerial inspection of the site in November 2023 shows both areas have standing water (Attachment 1).

The Operator shall inspect these areas and if found containing water a sample will be collected to determine water quality. Based on the results the Operator will manage all water in the manner as item 1 above. These two ponding locations need to be added to the Grassy Valley monthly sampling list. Please provide the Division with a copy of the field sampling forms for the basins after the samples are collected along with a timeframe for receiving the sample results.

4. The Operator needs to provide an update on establishing a replacement surface water sampling location for GV-01. In the response to the September 2023 Additional Information Required No. 2 (February 2024) the Operator committed to surveying the area between former GV-01 and GV-02 to identify an area to establish a replacement sampling location.
5. The surface water samples from Grassy Creek indicate decreasing impacts moving downgradient which is also reflected in the decreasing conductivity from GV-02 to GV-06. Does the Operator have historic samples from these locations that can be used for comparison, if so please provide that data?
6. In March 2024 the Division requested that weekly sampling of GV-06 also include three additional locations, GV-04, -4.5, and -05. It was determined GV-04 was the same location as the current GV-06 location. In April, the Operator stated they did not have legal right of entry to enter the property where GV-4.5 and GV-05. Does the Operator own the mineral rights to the property where GV-4.5 and GV-05 are located? In the event the Operator does own the mineral rights please establish formal downstream surface water sampling locations in accordance with the same accommodation doctrine referenced in previous amendments. If mineral rights are not owned provide comment on other potential alternatives which will allow downstream sampling.
7. A review of pH data from Table 2 and historic data indicates an overall decreasing pH trend in wells GVMW-8B, -22B, and -26B. The Division wants to reiterate, that within Grassy Valley the Division has not required notification of exceedances pursuant to Rule 3.1.7(9). However, exceedance notifications **are** required for GVMW-26A and B and the surface water location GV-06. In the case of GV-06 phosphorus, iron (both total and dissolved), and manganese have routinely exceeded standards for these constituents no notification is required.

Please respond to the appropriate items by **June 14, 2024**. The Division reserves the right to further supplement this document with additional items and details as necessary

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

Sincerely,



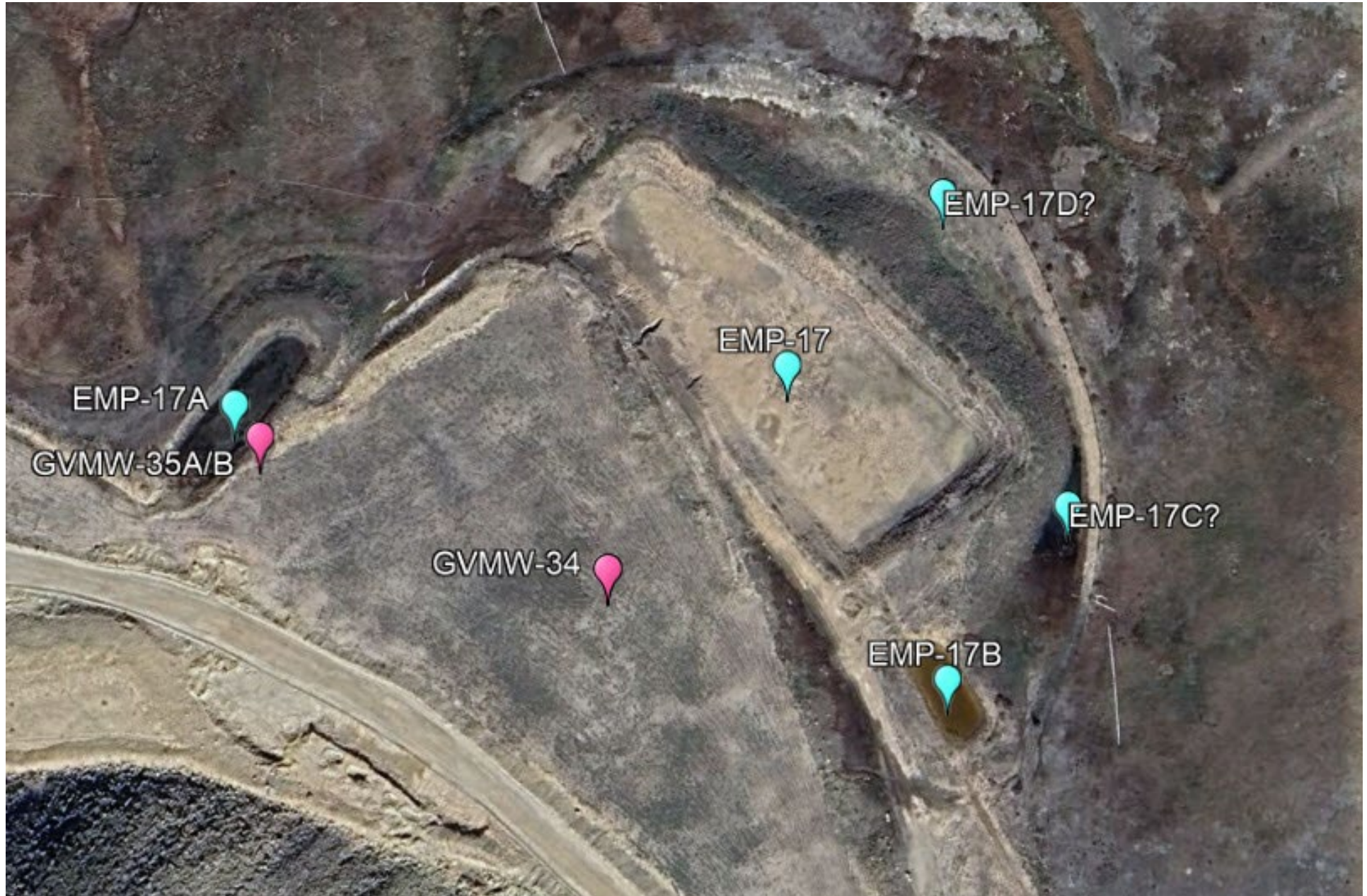
Patrick Lennberg
Environmental Protection Specialist

Attachment 1: Figures of water ponding areas around EMP-17

cc: Katie Blake, CC&V
Anthony Matarrese, CC&V
Johnna Gonzalez, CC&V
Josh Adams, CC&V
Elliott Russell, DRMS
Zach Trujillo, DRMS
Lucas West, DRMS
Hunter Ridely, DRMS

Attachment 1

Google Earth Image from October 2023



EMP-17C from May
2024 Inspection



EMP-17D from May
2024 Inspection



EMP-17B

EMP-17

EMP-17A



EMP-17C

EMP-17D