



Cripple Creek & Victor  
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SENT VIA ELECTRONIC COMMUNICATION

July 24, 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 No. 2, First (1<sup>st</sup>) Quarter 2024  
Groundwater and Surface Water Monitoring Report; Permit No. M-1980-244**

Dear Mr. Lennberg:

On July 3, 2024, Cripple Creek and Victor Gold Mining Company (CC&V) responded to the Division of Reclamation, Mining, and Safety's (DRMS), request for additional information regarding the first (1<sup>st</sup>) quarter 2024 groundwater and surface water monitoring report; Permit No. M-1980-244. CC&V has reviewed DRMS' July 16, 2024, response letter and is providing additional information as requested by DRMS. The DRMS comment (**in bold**) and CC&V's corresponding response (*in italics*) is presented below.

- 1. Rule 3.1.7(9) states - An Operator must provide the Office a written report within five (5) working days when there is evidence of groundwater discharges exceeding applicable groundwater standards or permit or NOI conditions imposed to protect groundwater quality when these other conditions are explicitly identified in the permit or NOI as requiring such notice.**

**As a condition of the approved permit, CC&V is monitoring groundwater quality at the site and comparing the results to site Numeric Protection Levels (NPLs) and Regulation 41 Table Value Standards (TVS). Exceedances of either NPL or TVS concentrations are to be reported to the Division in the time frame indicated by Rule 3.1.7(9). Rule 3.1.7(9) does**



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not specifically apply to points-of-compliance but to all locations within the approved permit.

On August 3, 2018 the Division issued an inspection report for the site. In that inspection report the Division cited a problem for not providing the Division with written notification of an exceedance of an approved NPL or TVS within five (5) working days of learning that such exceedance exists, as required by Rule 3.1.7(9). The corrective action was for the Operator to begin providing the Division with written notice of any exceedance. On December 21, 2018 the Division abated the problem citation as the Operator acknowledge the requirement for providing the exceedance notifications, pursuant to Rule 3.1.7(9), and began providing the notifications. Exceedance notifications began in August 2018 and included exceedances measured at SGMW-6B.

It is the Division's expectation that the Operator shall provide the required exceedance notifications pursuant to Rule 3.1.7(9) and in accordance with the Operator's prior acknowledgement of the requirement. Failure to provide the required notifications may result in the Division taking enforcement actions.

*As set forth above and in CC&V's July 3, 2024, response, Rule 3.1.7(9) only requires notice when there is evidence of a discharge exceeding applicable groundwater standards or permit conditions imposed by DRMS to protect water quality. No groundwater discharges have been identified in Maize Gulch where SGMW-6B is located.*

*Further, under the applicable rules, groundwater standards, numeric protection levels, and any permit conditions related to groundwater quality only apply, and therefore, can only be exceeded at points of compliance wells. Rule 3.1.7(6) provides "[i]n order to evaluate protection afforded groundwater quality, comply with groundwater standards, or to demonstrate compliance with permit . . . conditions established by [DRMS] . . . one or more points of compliance shall be established." (Emphasis added). Groundwater quality standards and permit conditions established by DRMS shall be demonstrated to be met at points of compliance. Id. Although groundwater monitoring wells can provide useful information which CC&V submits to DRMS in its quarterly reports, monitoring wells are not subject to or used to evaluate compliance with groundwater standards or permit conditions and therefore do not trigger the reporting requirements applicable to points of compliance wells under Rule 3.1.7(9).*

*CC&V's points of compliance wells where groundwater permit conditions apply were established by DRMS in August 2022 when it approved Technical Revision 129 — after the 2018 events cited by DRMS. However, because TR-129 did not set applicable groundwater standards or numeric protection levels, there remains uncertainty about what limits apply at these wells. At DRMS'*



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*request, CC&V is currently in the process of establishing the applicable groundwater standards for the site with the Water Quality Control Commission.*

*Although the reporting requirements of Rule 3.1.7(9) do not apply to CC&V's monitoring wells, it will nevertheless agree to provide DRMS with groundwater quality data from those wells within five working days when that data is above the table value standards.*

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](mailto:Joshua.Adams@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

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