

Wastewater Enforcement: Colorado Department of Public Health & Environment Notice of Violation Addressing Teller Goldmining Facility



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The Colorado Department of Health & Environment (“CDPH&E”) issued a June 6th Notice of Violation/Cease and Desist Order (“NOV”) to the Turquoise Connection, Inc. (“TCI”) addressing alleged violations of the Colorado Water Quality Control Act.

The NOV provides that TCI owns and/operates the Scott Blue II Mine in Teller County, Colorado (“Facility”). The Facility is stated to discharge wastewater associated with placer goldmining.

The discharge is described as mine drainage and stormwater that contacts a placer or mine excavation pit and raw material storage piles. The treatment process is stated to include an excavation pit and settling ponds. The Facility is stated to be subject to the Colorado Discharge Permit System. See Permit No. C00048939.

A representative from the CDPH&E Water Quality Control Division (“Division”) is stated to have conducted an on-site inspection of the Facility on June 28, 2021. The inspection is stated to have included:

- Interviewing Facility representatives
- Review of Facility records
- Performance of a physical inspection of the Facility

Alleged violations identified at the Facility include:

- Failure to monitor.
- Failure to develop a stormwater management plan.
- Failure to provide requested records/information.
- Failure to perform inspections.
- Failure to submit annual reports.

The NOV requires that the Facility cease and desist from all violations of the Water Quality Control Act and its implementing regulations and undertake actions which include:

- Review requirements of the relevant permit with Facility staff addressing certain issues.
- Retain the services of a qualified individual or entity experienced in metal mining and stormwater management to perform a review of the SWMP.
- Provide documentation to the Division that it has retained the services of a qualified individual or entity.

- Review all discharge monitoring reports submitted to the Division since January 1, 2019.
- Submit a SWMP that is prepared in accordance with good engineering, hydrologic, and pollution control services.
- Submit any additional compliance measures recommended pursuant to the referenced individual or entity.
- Submit all delinquent stormwater annual reports.
- Submit quarterly progress reports to the Division.

The NOV requires TCI to answer the document and request a hearing.

A copy of the NOV can be downloaded [here](#).