

# CDPHE Voluntary Cleanup Program Process at Gold Hill Mesa

Colorado Springs City Council Meeting

March 11, 2024

---

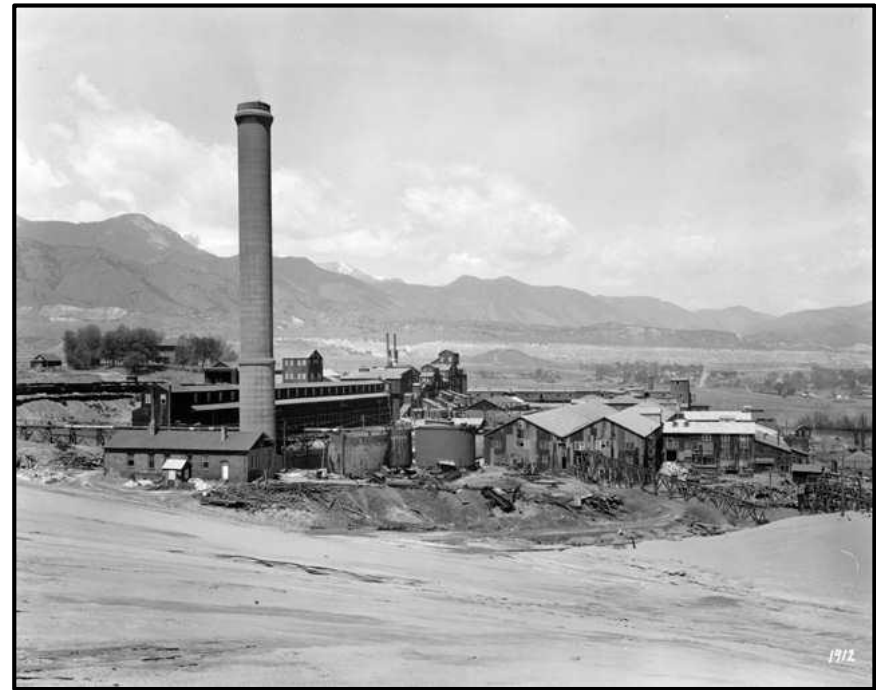
Remediation Program  
Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment



# History of the Golden Cycle Mill

Processed ores from the Cripple Creek Mining District between ~1900 and 1950.

Site operations produced nearly 500,000 pounds of gold and left behind 14 M tons of tailings.



Historic Golden Cycle Mill

# History of the Golden Cycle Mill

Failed efforts to reprocess tailings between 1950 and 1995.

Current development process of the 210 acres site began in ~1995.



Eroding tailings at Gold Hill Mesa prior to cleanup

# Regulatory Authority

- ❖ Site operations and waste generation occurred prior to adoption of state and federal environmental regulations.
- ❖ Superfund or state cleanup programs are typically the only regulatory tool for cleanup of abandoned industrial properties such as Gold Hill Mesa.

# Regulatory Authority

- ❖ EPA Superfund program evaluated the site in 1994
  - Determined no further remedial action planned (NFRAP) at that time.
- ❖ Colorado Legislature passed the Voluntary Cleanup and Redevelopment Act (Section 25-16-301 et, seq., C.R.S.) in 1994 to facilitate cleanup and redevelopment of contaminated properties (aka: Brownfields).

**Legislation**  
Legislation is the process of making or enacting laws by the legislative branch of a government or a law or set of laws that governs a government and its actions.

# EPA Actions at Gold Hill Mesa

- Superfund - federal program designed to cleanup contaminated sites determined to be National Priorities.
- EPA evaluates thousand of sites, most are not determined to be National Priorities.
- 1994 - EPA Superfund Program evaluated the Gold Hill Mesa site and made a NFRAP decision at that time, acknowledging that Agency could re-evaluate if conditions at the site change.
- 2000 - EPA Superfund Program approved CDPHE's request to do a VCUP at the site under the MOU between the two agencies.
- 2011 - EPA Superfund Program re-evaluated the site resulting in a NFRAP decision again, since the site was being addressed by the CDPHE VCUP program.

# CDPHE Voluntary Cleanup (VCUP)

## ❖ CDPHE Voluntary Cleanup Program -

Legislatively authorized state program designed to facilitate cleanup and redevelopment of contaminated properties not subject to regulatory authority.



Industrial Brownfields Site



# VCUP Process

1. Cleanup plan or no action determination request submitted by applicant to CDPHE.
- ❖ Applications must include:
1. Sufficient data to describe environmental conditions and potential risks.
  2. Proposed plan detailing steps to mitigate risk and allow redevelopment.



# VCUP Process

## CDPHE VCUP Approval Requirements:

1. Cleanup and control of hazardous substances that complies with applicable state requirements; and/or



2. Reduce concentrations such that the property does not present an unacceptable risk to human health and the environment.

Remediation of the Gold Hill Mesa Tailings

# VCUP Process for Gold Hill Mesa

First application for Gold Hill Mesa submitted in 2002 which:

1. Provided environmental data describing site conditions;
2. Established engineered cap\cover requirements;
3. Included removal of tailings and restoration of Fountain Creek;  
and
4. Established deed restrictions that requires property owners comply with the materials management plan to ensure long-term protectiveness of cleanup.

# VCUP Process for Gold Hill Mesa

Subsequent VCUP Applications for Gold Hill Mesa are submitted for each new development and include:

1. Sufficient data to describe environmental conditions and potential risks;
2. Proposed plan detailing steps to mitigate risk and allow redevelopment;
3. Details how the development is in compliance with the cleanup plan;
4. Request to CDPHE for a No Action Determination (NAD).

# CDPHE Oversight

- ❖ VCUP statute requires applicant's environmental professional to certify cleanup is performed according to approved plan.
- ❖ CDPHE reviews final report and issues No Action Determination letter or requests additional information or additional work.
- ❖ CDPHE performs occasional site inspections to review cleanup activities.

# Gold Hill Mesa Cleanup Summary

- ❖ Environmental conditions at the site were characterized through multiple investigation in the late 1990s\early 2000s.
- ❖ CDPHE determined cleanup plan would comply with state requirements and be protective of human health and the environment.
- ❖ CDPHE has worked with applicant for over 20 years to ensure cleanup activities comply with the approved plan.

# Thank you

