

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII

Received by
EPA Region VIII
Hearing Clerk

IN THE MATTER OF:

BONITA PEAK MINING DISTRICT
SUPERFUND SITE:

MAYFLOWER TAILINGS (OU2), BONITA
PEAK GROUNDWATER SYSTEM (OU3)

SAN JUAN COUNTY, COLORADO

SUNNYSIDE GOLD COPORATION,

RESPONDENT.

PROCEEDING UNDER SECTION 104,106(a),
107 and 122 OF THE COMPREHENSIVE
ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT,
AS AMENDED, 42 U.S.C. §§ 9604, 9606(a),
9607, 9622.

EPA Docket Numbers:

CERCLA-08-2017-0004,
CERCLA-08-2018-0005; and
CERCLA-08-2020-0004

**ADMINISTRATIVE ORDERS PREVIOUSLY ISSUED ARE TERMINATED AND
SUPERSEDED**

I. Orders Issued Sunnyside Gold Corporation Between 2017 and 2020:

1. *Administrative Settlement Agreement and Order on Consent for Remedial Investigation* Docket No. CERCLA 08-2017-0004, issued May 11, 2017. This order required Sunnyside Gold Corporation (SGC) to complete remedial investigation work at the Mayflower Tailings Area, or OU 2, of the Bonita Peak Mining District Superfund Site. This Order is hereby terminated in accordance with the In Re: Gold King Mine Release in San Juan County, Colorado on August 5, 2015 Consent Decree, Civil Action No. 1:18-md-02824 dated April 28, 2022.

2. *Unilateral Administrative Order for Remedial Investigation*, Docket No. CERCLA-08-2018-0005, issued March 15, 2018, as modified on April 16, 2018 and again on June 7 2019. This order required SGC to complete remedial investigation work at the Bonita

Peak Groundwater System, or OU3, of the Bonita Peak Mining District Superfund Site. This Order is hereby terminated in accordance with the In Re: Gold King Mine Release in San Juan County, Colorado on August 5, 2015 Consent Decree, Civil Action No. 1:18-md-02824 dated April 28, 2022.

3. *Administrative Order Directing Compliance with Request for Access*, Docket No. CERCLA-08-2020-0004, issued September 3, 2020. This order required SGC to grant EPA, the Colorado Department of Health and the Environment, and their authorized representatives entry and access to the Mayflower Properties of the Bonita Peak Mining District Superfund Site. This Order is hereby terminated and superseded by the requirements of the In Re: Gold King Mine Release in San Juan County, Colorado on August 5, 2015 Consent Decree, Civil Action No. 1:18-md-02824 dated April 28, 2022.

IT IS SO ORDERED

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 8

BY: _____ DATE: _____

Ben Bielenberg
Acting Director
Superfund and Emergency Management Division

BY: _____ DATE: _____

Kenneth C. Schefski
Regional Counsel
Office of Regional Counsel