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Settlement Reached in Gold King Mine Spill; Notice and Comment Period Open through January 18

Sunnyside Gold Corporation (SGC) recently reached an agreement with the State of Colorado for \$1.6 million to settle Natural Resource Damage (NRD) claims in relation to the EPA's 2015 Gold King spill and the Bonita Peak Mining District (BPMD) Superfund site in Colorado.

In 2015, an EPA crew collapsed a pile of rock and dirt at the entrance of the Gold King Mine, releasing about three million gallons of contaminated water into the Animas River.

In an email to the editor, Gina Myers, Director of Reclamation Operations, said "We are pleased to resolve this matter and to see funds going toward further efforts to improve water quality

rather than protracted potential litigation."

She said the parties involved reached this settlement as a matter of practicality, with no admission of liability or wrongdoing. The settlement limits SGC's future liability for potential environmental claims in relation to the BPMD. SGC never owned or operated the Gold King mine and was not at fault for the August 2015 EPA-caused spill, according to Myers.

She went on to explain that over the past 30 years, SGC has spent over \$40 million on investigative studies, reclamation, and remediation to demonstrably improve water quality in the Animas River Basin. SGC has also collaborated and successfully worked with community stakeholders,

including the Animas River Stakeholders Group, to improve water quality. SGC was also an active participant in the Bonita Peak Mining District Community Advisory Group, which was formed after the 2015 spill.

"SGC has a long and positive history of improving water quality in the Animas River and this agreement will further that legacy," she concluded.

Public Input Requested

The Bonita Peak Mining District (BPMD) is also seeking public input on the proposed consent decree, or the settlement, now through January 18th. Both the Town of Silverton and the Office of Emergency Management issued emails last week containing a link to where you can read the agreement

online.

The emails also explained that when reviewing the proposed consent decree, citizens should understand the Settlement for Natural Resources Damages (NRD) is separate and distinct from the settlement negotiations the United States, State of Colorado, Sunnyside Gold Corporation and Kinross Gold Corporation are currently conducting concerning non-Natural Resource Damages.

The public may comment on the NRD Proposed Consent Decree through January 18, 2022. Comments may be submitted by either mail or by email. To submit comments by email, send them to: NRDpubliccomments@coag.gov.

To submit comments by mail, send them to:

Colorado Natural Resource Damages Trustees
c/o Colorado Office of the Attorney General
Natural Resources and Environment Section
Hazardous & Solid Waste / CERCLA Unit
1300 Broadway
Denver, CO 80203

It is also important to note that the United States, the State of Colorado, Sunnyside Gold Corporation, and Kinross Gold Corporation have separately reached a settlement in principle to resolve other non-NRD environmental claims associated with the Gold King Mine release and the BPMD Site. If this separate settlement is finalized, all stakeholders will have the opportunity to review and comment on the proposed agreement during a formal public comment period.

The Local BMPD Planning

Group expects that if this separate settlement is finalized for the non-NRD environmental claims, it will be for a much greater amount than the agreement for NRD.

In their meeting on December 15th, the San Juan County Commissioners reiterated that this NRD settlement is for folks "downstream" from Silverton.

If you have questions concerning the differences in the settlements you can contact Anthony Edwards, BPMD Communications Liaison, at solkepler@gmail.com.