



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

March 16, 2017

Ken Mushinski
Cotter Corporation
P.O. Box 1750
Canon City, CO 81215

RE: Schwartzwalder Mine; DRMS File No. M-1977-300; Technical Revision (TR-23)

Dear Mr. Mushinski,

The Division has identified several other comments and questions that must be addressed prior to the Division's decision due date.

1. The Division has reviewed the Adit Disposal Inventory of items which Cotter Corporation is proposing to place into the Schwartzwalder Mine glory hole and has the following comments:
 - a. The list of proposed items includes telephone poles, wood timber, pallets and other miscellaneous wood structures. Pursuant to Rule 3.1.5, any material used as backfill or placed within the mine must be inert, which is defined as non-water soluble and non-putrescible solids together with such minor amounts and types of other materials, unless such materials are acid-or toxic producing, as will not significantly affect the inert nature of such solids. The inventory must be revised to not include wood or any other materials which are subject to decomposition.
 - b. Confirm the propane tanks are empty and specify if the propane tanks will be cut up before being placed into the glory hole.
 - c. Confirm the septic tank has been emptied and cleaned out.
 - d. The Operator has not demonstrated that the RO units will not have an impact to groundwater quality. How will the RO units be decommissioned to ensure that no residuals are introduced into the mine pool? Pursuant to Rule 3.1.7(9), in order to be released from reclamation liability, the Operator shall demonstrate that reclamation has been achieved so that existing and reasonably future potential uses of groundwater are protected. In absence of a technical justification for placing the RO units into the mine and a demonstration that the RO units have been appropriately decommissioned, they must be removed from the Adit Disposal Inventory.
 - e. The Operator has not included a discussion of the fate of the materials once they are placed into the glory hole. Please describe what will happen to the items. Will they fall to the bottom of the glory hole? Is there any potential for these items to come into contact with the mine pool? Is the glory hole currently in a dry condition?



Mr. Mushinski
Page 2
March 17, 2017

Please remember that the decision date for this Technical Revision is March 17, 2017. As previously mentioned, if you are unable to provide satisfactory responses to any inadequacies prior to this date, it will be your responsibility to request an extension of time to allow for continued review of this Technical Revision. If there are still unresolved issues when the decision date arrives and no extension has been requested, the Technical Revision will be denied.

If you have any questions, please contact me at (303)866-3567 x8116.

Sincerely,

A handwritten signature in blue ink, appearing to read "M.A. Cunningham".

Michael A. Cunningham
Environmental Protection Specialist

CC: Wally Erickson, DRMS
Steve Cohen, Cotter Corporation