



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

1313 Sherman Street, Room 215
Denver, CO 80203

May 30, 2018

Jim Harrington
Colorado Legacy Land, LLC
4601 DTC Boulevard, Suite 130
Denver, CO 80237

**RE: Schwartzwalder Mine; DRMS File No. M-1977-300; Adequacy Review No. 1 –
Technical Revision No. 26 (TR-26)**

Dear Mr. Harrington,

The Division of Reclamation, Mining and Safety (Division) received Technical Revision No. 26 (TR26) for the above referenced operation on May 10, 2018. The decision date for this Technical Revision is June 11, 2018. The Division has reviewed the Technical Revision Application and has the following comments:

1. During a meeting between the Division and Colorado Legacy Land, LLC held on May 24, 2018, the Division was informed that several of the items which have been approved for disposal in the Minnesota Adit contain asbestos. Asbestos is designated as a hazardous substance with a reportable quantity in the Superfund regulations. Please identify the State and/or Federal reporting limits for asbestos. The demolition and disposal of asbestos containing materials are regulated by the Air Pollution Control Division (APCD) of the Colorado Department of Public Health and Environment. Please specify if the APCD was consulted regarding the disposal of asbestos containing materials at the mine site.
2. The Operator is proposing to include solid waste generated from the water treatment process in the inventory of items to be disposed of in the Minnesota Adit. Table 1 contains a list of the materials to be included in the inventory list and contains the associated Uranium and Radium-226 levels. Please specify which analyses were performed on the cartridge filters and RO membranes and provide the Division with a copy of the results from the laboratory which conducted the analyses, if applicable.
3. The chemical analyses of the cartridge filters and RO membranes occurred in 2016. Please confirm the cartridge filters and RO membranes which were analyzed were associated with the old water treatment plant (OWTP). The Operator has since constructed a new water treatment plant (NWTP). Have there been any changes in the design and operation of the NWTP which could result in increased Uranium and Radium-226 levels in the cartridge



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filters and RO membranes? In addition, how will the operator ensure the cartridge filters and RO membranes continue to fall below the threshold for regulated source materials?

4. As indicated above, the Operator has stated the cartridge filters and RO membranes are exempt from CDPHE's radiation protection regulations. Please specify if the Operator's Radioactive Materials License addresses the disposal of solid wastes generated from the water treatment process. In addition, specify if the Hazardous Materials and Waste Management Division was consulted regarding the disposal of cartridge filters and RO membranes at the mine site.

This concludes the Division's adequacy review of this Technical Revision. Please remember that the decision date for this Technical Revision is June 11, 2018. 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 "Mike C.", is positioned above the typed name.

Michael A. Cunningham
Environmental Protection Specialist

CC: Billy Ray, Alexco Water and Environment Inc.