

August 25, 2020

Jim Harrington
Colorado Legacy Land, LLC
4601 DTC Blvd. - Suite 130
Denver, CO 80237

RE: Schwartzwalder Mine, Permit No. M-1977-300, 2nd Notice of Incomplete Amendment Application (AM-5)

Mr. Harrington:

On August 20, 2020, the Division of Reclamation, Mining and Safety (Division) received your completeness response for the 112d-2 Hard Rock Reclamation Permit Amendment Application (AM-5) submitted for the Schwartzwalder Mine.

A preliminary review of the information received has identified the following filing deficiencies which must be addressed before the application can be considered complete for filing purposes:

- 1) On Page 1 of the Application Form, under Item No. 1, please include the Applicant/Operator Name, Type of Organization, and I.R.S. Tax ID No. or Social Security Number. Please be informed, any sensitive information (e.g., I.R.S. Tax ID No., Social Security Number) included in the application will be redacted from the public copy.
- 2) On Page 2 of the Application Form, under Items No. 6 and 7, please include the full company name as it is registered with the Colorado Secretary of State (Colorado Legacy Land, LLC).
- 3) On Page 5 of the Application Form, under Description of Amendment, please provide a brief narrative describing the proposed changes. For example, based on the information provided in the application, the narrative might include: "Increase permit area by 3.98 acres to accommodate anticipated reclamation activities in former Black Forest Mine and North Waste Rock Pile upland area, and include disposal of radionuclide-impacted alluvial valley soils into the Black Forest Mine."
- 4) On Page 7 of the Application Form, under Responsibilities as a Permittee, the requirements are initialed by Jim Harrington. It has come to the Division's attention (since the last incompleteness letter was sent), that only Paul Newman is currently authorized to sign legally binding permit documents on behalf of Colorado Legacy Land, LLC. Therefore, please submit a notarized letter of authorization for Jim Harrington authorizing him to sign permitting documents on behalf of Colorado Legacy Land, LLC. Alternatively, you may provide a revised Page 7 that is initialed by Paul Newman.



5) On Page 8 of the Application Form, under Certification, the following items require correction:

- a) Please ensure the Applicant/Operator Name is written exactly the same way as it is registered with the Colorado Secretary of State (Colorado Legacy Land, LLC). The Applicant/Operator Name is written in two places on this page.
- b) Please provide a notarized letter of authorization for Jim Harrington authorizing him to sign permitting documents on behalf of Colorado Legacy Land, LLC. Alternatively, you may provide a revised Page 8 that is signed by Paul Newman.

Your application will not be considered complete for filing purposes until the information listed above is received and found sufficient to begin our technical review. A decision date will be established ninety (90) days from the date of filing.

Per Rule 1.4.1(8), you have 60 days from the date of this correspondence to submit all necessary documents for the application to be considered filed, due by **October 24, 2020**. If, by this date, the application has not been determined to be filed, the Division may deny the application.

This letter shall not be construed to mean there are no other technical deficiencies in your application. The Division will review your application for technical adequacy after the filing deficiencies are satisfied.

If you have any questions, you may contact me by telephone at 303-866-3567, ext. 8129, or by email at amy.eschberger@state.co.us.

Sincerely,



Amy Eschberger
Environmental Protection Specialist

Cc: Elizabeth Busby, Ensero Solutions US, Inc.
Bill Ray, Ensero Solutions US, Inc.
Paul Newman, Colorado Legacy Land, LLC
Eric Williams, Colorado Legacy Land, LLC
Michael Cunningham, DRMS