

October 28, 2020

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

**RE: Schwartzwalder Mine, Permit No. M-1977-300, Amendment Application (AM-5),  
Additional Timely Comment Received**

Mr. Harrington:

The Division of Reclamation, Mining and Safety (Division) has received an additional timely comment letter (see enclosed) to the Amendment application (AM-5) filed with our office on September 10, 2020 for Schwartzwalder Mine.

Please inform the Division of how you intend to address the concerns expressed in Denver Water's comment letter. This information can be submitted with your response to the Division's preliminary adequacy review letter sent on October 16, 2020.

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](mailto:amy.eschberger@state.co.us).

Sincerely,



Amy Eschberger  
Environmental Protection Specialist

Encl: Comment letter from Denver Water, received on October 27, 2020

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





STATE OF  
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

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## Denver Water Comments on CLL Amendment Application (AM-05) File No. M-1977-300

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**Poncelet, Nicole** <Nicole.Poncelet@denverwater.org>

Tue, Oct 27, 2020 at 4:46 PM

To: "Eschberger - DNR, Amy" <amy.eschberger@state.co.us>

Cc: "Arnold, Daniel J." <Daniel.Arnold@denverwater.org>, "michaela.cunningham@state.co.us"

<michaela.cunningham@state.co.us>, "jim harrington (jim@coloradolegacy.land)" <jim@coloradolegacy.land>

Dear Amy,

Please find attached Denver Water's comments on the latest amendment application concerning remediation of the Schwartzwalder Mine?

-Nicole

**Nicole M. Poncelet-Johnson, PE, CWP** | Director of Water Quality & Treatment Team

**Denver Water** | c: 720-878-6088

[denverwater.org](http://denverwater.org) | [denverwaterTAP.org](http://denverwaterTAP.org)

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**20201027 AM-05 Public Comment\_Denver Water.pdf**  
131K

Sent Via Email

October 27, 2020

Amy Eschberger  
Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

Re: Schwartzwalder Mine – File No. M-1977-300, Colorado Legacy Land, LLC – Amendment Application (AM-05)

Dear Ms. Eschberger:

Denver Water is submitting the following comments in response to the Amendment Application (AM-05) to modify Colorado Legacy Lands, LLC (CLL) Division of Reclamation Mining and Safety Permit No. M-1977-300. The request for public comments was published in the Denver Post on September 17, 2020. Specifically, the AM-05 scope is to modify the permitted affected lands boundary to include the Black Forest Mine, which will be used for disposal of uranium impacted sediments. CLL states in its application that, “The Black Forest Mine is a dry mine that does not have contact with groundwater or surface water. Excavated materials will be disposed of either in the Black Forest Mine or the CV Glory Hole within the Schwartzwalder Mine. Once excavation is complete, watertight bulkheads will be used to permanently seal all mine portals.”

Denver Water requests that CLL demonstrate how the proposed AM-05 activities will be taken into consideration in the development of its conceptual site model (CSM) and requests that CLL provide the following:

- 1) The hydrogeologic data to demonstrate that the Black Forest Mine will not contact groundwater or surface water and will not develop alternative pathways when the watertight bulkhead is installed.
- 2) The design of the watertight bulkhead and the associated closure plan.
- 3) The vertical gradient of groundwater in the vicinity of Ralston Creek and Black Forest Mine.
- 4) Denver Water agrees with DRMS’s adequacy review comment on Exhibit G and requests that CLL also provide the depth to groundwater and potential interactions between the fault fracture zones and Ralston Creek.
- 5) Evidence of an inward gradient of groundwater into the Schwartzwalder mine and discussion of how that inward gradient influence extends to the Black Forest Mine and whether it will be maintained.

Denver Water requests that CLL include in its future CSM the potential impacts from placing sediments into the Black Forest Mine.

We appreciate the opportunity to provide these comments. Please contact me at 720-878-6088 if you have any questions.

Sincerely,



Nicole Poncelet-Johnson, PE, CWP  
Director of Water Quality & Treatment  
Denver Water

cc:

Michael Cunningham, DNR  
Jim Harrington, CLL