

July 14, 2021

Jim Harrington
Colorado Legacy Land, LLC
12150 E. Briarwood Ave., Suite 135
Centennial, CO 80112

RE: Schwartzwalder Mine, Permit No. M-1977-300, Notice of Incomplete Amendment Application (Revision No. AM-6)

Mr. Harrington:

On July 6, 2021, the Division of Reclamation, Mining and Safety (Division) received your 112d-2 Designated Mining Reclamation Permit Amendment Application (AM-6) 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 full company name as it is registered with the Colorado Secretary of State (Colorado Legacy Land, LLC).
- 2) On Page 1 of the Application Form, under Item No. 1, please fill out the Type of Organization and I.R.S. Tax ID No. or Social Security Number sections. 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.
- 3) On Page 1 of the Application Form, under Item No. 3, the permitted acres is said to be 76.22 acres, which is incorrect. The current approved permit area is 72.24 acres. Please correct this section accordingly.
- 4) 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).
- 5) On Page 2 of the Application Form, under Item No. 8, please check the appropriate box for Type of Mining Operation (which is “Underground” in this case).
- 6) On Page 2 of the Application Form, under Item No. 9, the General Description provided includes “...6 mines northwest of Golden, Colorado”. Because this page will need to be revised anyway, please correct this simple error by changing “mines” to “miles”.
- 7) On Page 5 of the Application Form, under Description of Amendment, the section states “Amend Permit No. M-1977-300 to include the conditions outlined in item #2 of the Succession of Operations letter dated 2/20/2018”. This description does not adequately describe the nature of the



amendment. Please provide a brief narrative which specifies the items from the 2/20/2018 Succession of Operators letter that are meant to be addressed in this amendment. For example, if the amendment is only meant to address Condition No. 2 from the letter, you might include: "Provide a conceptual site model, a plan addressing the physical and chemical stabilization of the mine pool, specifically addressing the concentrations of dissolved uranium and other constituents as required under the conditions of the permit, and updated reclamation and environmental protection plans". However, based on the reduced financial warranty proposed in Exhibit L of the application, it appears the amendment is also meant to address Condition No. 3 from the 2/20/2018 letter. If this is the case, then you might also add "Provide a plan addressing the long term cost of operating the water treatment plant and managing the mine pool, based on a minimum of 3 consecutive years of data which verify the physical and chemical stabilization of the mine pool".

- 8) On Page 8 of the Application Form, under Certification, 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). This correction is required in two places on this page.

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 the Division needs for the application to be considered filed, due by **September 12, 2021**. If, by this date, the application has not been determined to be filed, the application may be terminated.

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 (office), 303-945-9014 (mobile), or by email at amy.eschberger@state.co.us.

Sincerely,



Amy Eschberger
Environmental Protection Specialist

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