



STATE OF
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

M2024046, Compromise Mine, Incompleteness Letter

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Tue, Sep 10, 2024 at 4:33 PM

To: Fred Wilson <fred@icgaspen.com>, Ryan Chadwick <ryan.chadwick@gmail.com>

Fred, Ryan,

The Division reviewed application M2024046 for the Compromise Mine for completeness and found it to be incomplete. Please see the attached letter for details.

Leigh Simmons
Environmental Protection Specialist



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

P [720.220.1180](tel:720.220.1180)

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M2024046 Incomplete.pdf

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September 10, 2024

Ryan Chadwick
Aspen Mountain Mining Corporation
P.O. Box 1128
Aspen, CO 81612

Re Compromise Mine, File No. M-2024-046
Notice of Incomplete 110(2) Hard Rock Reclamation Permit Application Package

Dear Mr. Chadwick:

On August 29, 2024, the Division of Reclamation, Mining and Safety (Division) received your 110(2) Hard Rock Reclamation Permit Application package for the Compromise Mine, File No. M-2024-046. Preliminary review of the information received determined that the following additional information must be received before the Division can consider your application as being submitted and technical review can begin:

1. The application submitted is for a 110(2) permit, but the commodities proposed to be mined (Silver, Lead, Zinc, Gold and mineral specimens) are more typically associated with a Designated Mining Operation (DMO), as defined by Rule 1.1(19), owing to the inherent toxicity of these materials. A DMO of this scale (affecting less than 10 acres) would require a 110(d) permit.

Please demonstrate, with reference to Rule 1.1(19)(f)(1), why the proposed operation does not “have a potential to produce acid or toxic mine drainage in quantities sufficient to adversely affect any person, property or the environment”.

2. Exhibit A – Legal Description and Location Map appears to contain a description of the mining claim rather than the proposed permit area.

Please provide a revised version of Exhibit A, with a legal description of the proposed permit area.

3. Exhibit G - Source of Legal Right to Enter provides a reference to the Amended Location Certificate for the Emma No. 2 Lode (included in Exhibit F). This documentation is sufficient for demonstrating the Applicant’s legal right to enter to conduct mining and reclamation as the minerals rights owner of the proposed affected land. However, no documentation was provided demonstrating the Applicant’s legal right to enter from the surface rights owner of the proposed affected land, the U.S. Forest Service (USFS). Additionally, the application states that access to the claim from the City of Aspen is via a dirt access road up Aspen Mountain under a current access agreement with Aspen Skiing Company LLC. A copy of this access agreement was not provided in Exhibit G.



Please provide a revised version of Exhibit G, including documentation from the USFS (typically a Plan of Operations) demonstrating the Applicant has the legal right to enter to conduct mining and reclamation on the proposed affected land, and a copy of the referenced access agreement with Aspen Skiing Company LLC.

4. Since the proposed mining plan includes blasting, Rule 6.3.3(1)(o) requires that the application include a Geotechnical Stability Exhibit which demonstrates, in accordance with Rule 6.5(4), that off-site areas will not be adversely affected by blasting during mining or reclamation operations.

Please provide a revised version of the Geotechnical Stability Exhibit, with a demonstration “through appropriate blasting, vibration, geotechnical, and structural engineering analyses, that off-site areas will not be adversely affected by blasting”. These analyses should be certified by a professional engineer.

Your application will not be considered submitted until all the information listed above is received and found sufficient to begin our technical review.

You have sixty (60) days from the above date, by **November 9, 2024**, to submit all necessary materials that the Division needs for an application to be considered filed. If, at the end of the 60-day period, the application has not been determined to be filed, the Division may deny the application and terminate the application file.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act and Rules after submittal of all required items.

If you have any questions, please contact me by telephone at (720) 220-1180, or by email at Leigh.Simmons@state.co.us.

Sincerely,



Leigh D. Simmons
Environmental Protection Specialist

Cc: Amy Eschberger, DRMS