

STATE OF
COLORADO

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

Compromise Mine, Pitkin County (P1992020 and M2024046)

1 message

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

Thu, Jan 16, 2025 at 11:27 AM

To: Ryan Chadwick <ryan.chadwick@gmail.com>

Cc: Fred Wilson <fred@icgaspen.com>, Amy Eschberger - DNR <amy.eschberger@state.co.us>, suzanne.wolff@pitkincounty.com, "Lee, John - FS, CO" <John.Lee2@usda.gov>

Ryan,

Please find attached a letter clarifying the permitting status of the Compromise Mine. The letter states formally what was discussed at the meeting we had last week.

I appreciate your open communication and the efforts you have made to ensure the site remains in compliance. Please contact me with any questions.

Leigh Simmons
Environmental Protection Specialist



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

P 720.220.1180

1313 Sherman Street, Room 215, Denver, CO 80203

leigh.simmons@state.co.us | <https://drms.colorado.gov>**P1992020_M2024046_CompromiseMine_ApplicationStatus.pdf**

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

January 16, 2025

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

**Re: Compromise Mine, Notice of Intent (NOI) No. P-1992-020;
Compromise Mine, Hard Rock Reclamation Permit Application, File No. M-2024-046;
Status Update**

Dear Mr. Chadwick,

The Division of Reclamation, Mining and Safety (Division) contacted Aspen Mountain Mining Corporation (AMMC) by letter dated [January 22, 2024](#), identifying three separate issues at the Compromise Mine (referred to by the US Forest Service as “Emma Lode”), for which a Notice of Intent (NOI) No. P-1992-020 was issued by our office in March of 1993. These issues included the following:

1. Tourist mine status
2. Sale of material from the mine
3. Prospecting activity

AMMC replied with a letter dated [February 20, 2024](#), that addressed the first two issues. It was agreed that in order to address the third issue, AMMC would apply for a new mining permit, on approval of which, the NOI would be terminated.

On August 29, 2024, the Division received an [application for a 110\(2\) mining permit](#) from AMCC (application) and assigned it file number M-2024-046. In the cover letter of the application, the following goals for the Compromise Mine were stated:

1. Transition the mine from the current prospecting permit to a 110 permit.
2. Allow for limited production and sales of silver/lead/zinc ore and native silver specimens.
3. Bring back tours and allow the history of the Compromise Mine to be shared and enjoyed by the public again.
4. Establish a future for the mine and its historical value to remain in place and open for future generations to enjoy and be educated of the history of mining in Aspen.



The application was found incomplete on [September 10, 2024](#), with several issues to be resolved.

The Division received a comment on the incomplete application from Pitkin County Community Development Department, on behalf of the Board of County Commissioners, on [September 16, 2024](#), expressing support for the concept of maintaining the historical value of the Compromise Mine, but also stating that county review of the proposed land uses (limited production and mine tours) would be required.

AMMC responded to the Division's incompleteness notice for the application on [October 31, 2024](#).

The Division found on [November 8, 2024](#), that the application was still incomplete, with the outstanding issue to be resolved being a determination of whether a 110(2) permit is appropriate or whether a 110(d) permit (for a designated mining operation; DMO), which would be typical for a hard rock mine producing silver, lead or zinc, is necessary. To inform this determination, the Division requested that AMMC propose a geochemical sampling and analysis plan to characterize the material to be mined. The results of this sampling would be reviewed by the Division to determine whether any of the material could have the potential to produce acid or toxic mine drainage in quantities sufficient to adversely affect any person, property or the environment, requiring the mine to be a DMO per Rule 1.1(19)(f)(1).

It has been determined that tourist mines do not fall under the jurisdiction of the Division's Minerals Program. Therefore, any references and approvals for such activities falls to the Colorado Mine Safety Division.

The Division met with AMMC on January 7, 2025 to discuss the permitting status of the Compromise Mine. During this meeting, the Division informed the operator that the current dual use permit application could not be approved. Two options to proceed were laid out as follows:

- I. AMMC could amend the M-2024-046 application to remove any references to tourism in the operational plan, and the Division would proceed with the review of the geochemical sampling and analysis plan; or
- II. AMMC could withdraw the M-2024-046 application, and the Division would temporarily suspend any enforcement actions related to issue #3 identified in the Division's January 22, 2024 letter for NOI P-1992-020, as AMMC works to obtain the necessary approvals from Pitkin County and USFS to operate the site solely as a tourist mine, after which, the NOI would be terminated.

AMMC explained that their priority for the site was historic preservation, and that tourism remains a key part of their plan. Accordingly, it was agreed that AMMC would choose the second option above, to withdraw the M-2024-046 application. As of the date of this letter, the Division has not received the withdrawal request. If the Division does not receive the withdrawal request, the application will be terminated due the timeframes to address application completeness.

The Division will continue to hold a bond that is sufficient for reclaiming current disturbance at the

site in accordance with the approved reclamation plan under NOI P-1992-020, including the demolition of structures. The site will be inspected by the Division on an annual basis. AMMC will continue to work with Pitkin County and USFS to secure the necessary approvals and land use permit(s) to maintain and operate the Compromise Mine as a tourist mine or leave existing structures and features in place for historic reference and preservation. AMMC is required to provide updates on these endeavors to the Division on an annual basis at a minimum (to be added to the permit file for NOI P-1992-020). In the meantime, AMCC will ensure the NOI P-1992-020 is kept in compliance with all requirements of the Act and Rules.

If you have any questions, please contact me at 303-866-3567, ext. 8121 or at leigh.simmons@state.co.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Leigh Simmons', with a stylized flourish at the end.

Leigh Simmons
Environmental Protection Specialist

Cc: Fred Wilson, Way Up High Mining Company, LLC
Suzanne Wolff, Pitkin County
John Lee, USFS