



**COLORADO**  
Department of Public  
Health & Environment

March 6, 2025

Michael Cunningham  
Division Director  
Colorado Division of Reclamation, Mining, and Safety  
1001 E 62<sup>nd</sup> Avenue, Room 215  
Denver, CO 80216

**RE: Closure of Notice of Violation/Cease and Desist Order, Number: IO-100601-1,  
Compliance Order on Consent, Number: IC-150123-1 (including Amendment #1), and Order for  
Civil Penalty, Number: IP-150318-1**

Dear Mr. Cunningham:

The Colorado Department of Public Health and Environment's Water Quality Control Division ("Division") issued the above-referenced enforcement orders to Cotter Corporation as a result of Cotter Corporation's failure to comply with the Colorado Water Quality Control Act ("Act") and/or a Colorado Discharge Permit System ("CDPS") permit (Permit # CO0001244). On March 9, 2018, the Division transferred the Permit from Cotter Corporation to Colorado Legacy Land, LLC ("CLL"). On April 30, 2024, the Division transferred the Permit from CLL to Colorado Division of Reclamation, Mining, and Safety ("DRMS").

The Division acknowledges that Cotter Corporation, CLL, and DRMS have met their obligations pursuant to these orders. Therefore, the Division is hereby closing its case. No further action is required from Cotter Corporation, CLL, or DRMS with regard to these orders.

Please be advised that DRMS does have an ongoing obligation towards compliance with the Act and its implementing regulations, and any CDPS permits associated with DRMS's operations at the Schwartzwalder Mine. Any future non-compliance may result in additional enforcement activities.

If you have any questions regarding this matter, please do not hesitate to contact Jacob Dyste of this office by phone at (303) 692-3290 or by electronic mail at [jacob.dyste@state.co.us](mailto:jacob.dyste@state.co.us).

Sincerely,

Jacob Dyste, Enforcement Specialist  
Clean Water Enforcement Unit  
WATER QUALITY CONTROL DIVISION

ec: Veronica Kenkel, Data Management, CDPHE

