



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

August 29, 2025

Kristin Pekot  
Staff Field Engineer  
Water Quality Control Division  
Colorado Department of Public Health & Environment  
[kristin.pekot@state.co.us](mailto:kristin.pekot@state.co.us)

**Re:     Schwartzwalder Mine**  
**Compliance Inspection of Industrial Wastewater Treatment Facility**  
**Colorado Discharge Permit Systems (CDPS) No. CO0001244**  
**Stormwater CDPS Certification No. COR040046**

Ms. Pekot,

The Division of Reclamation, Mining and Safety (Division) received your Compliance Inspection letter for the Schwartzwalder Mine, dated August 8, 2025. The letter cited two (2) Major Findings from the June 26, 2025 site inspection, which require action by the permittee (Division) and a written response outlining the course of action and proposed compliance date by September 7, 2025.

**Major Findings**

These items require action by the permittee and will be followed up by the division. Please provide a written response addressing the major findings listed below, which are potential violations, by September 7, 2025. The response must outline the course of action that will be taken and the date by which you propose to bring the facility into compliance with the CDPS permit, Colorado Revised Statutes and/or the associated regulations. Failure to respond within the required time frame may result in formal enforcement action.

**1. B0N17 - Storm Water Nonconstruction**

Failure to Develop Any or Adequate SWPPP/SWMP: Stormwater Management Plan (SWMP) is deficient, has not been prepared, and/or the SWMP is not reasonably available for inspection.

CDPS Certification No. COR040046 authorizes the permittee to discharge storm water under CDPS General Permit No. COR040000. Part I.C of CDPS General Permit No. COR040000 requires the permittee to develop, implement, and maintain a SWMP. During the inspection, the permittee was unable to provide a SWMP for the facility. Part I.C. of CDPS General Permit No. COR040000 contains descriptions of the requirements of the plan. The division expects the permittee to develop, implement, and maintain a complete SWMP in accordance with the permit. Please provide the division documentation that a SWMP has been developed and implemented to comply with the permit requirements.

## **2. BN19A - Storm Water Nonconstruction**

Failure to Properly Install/Implement Control Measures: Stormwater management control measures have not been properly selected and/or installed.

Part I.C.3 of CDPS General Permit No. COR040000 requires the permittee to develop a description of stormwater quality controls and implement such controls. Part 1.C.3.b specifies, "The SWMP shall identify potential sources of pollutants at the site, and assess the potential of these sources to contribute pollutants to stormwater discharges associated with mining activities." During the inspection, the permittee had not evaluated the facility for appropriate stormwater quality control measures and was not implementing adequate controls to manage stormwater runoff from the mine dewatering and treatment activities. The division expects the permittee to implement control measures to divert stormwater away from potential pollutant sources and prevent erosion and discharge of sediment. All control measures must be selected and installed following good engineering, hydrologic, and pollution control practices in accordance with the permit. Please provide the division documentation that appropriate control measures have been selected and implemented to comply with the permit effluent limits.

The Division intends to fully comply with the requirements of Part I.C.3 of CDPS General Permit No. COR04000 and is committed to obtaining the proper stormwater permits from CDPHE for the current water treatment operations at the former Schwartzwalder Mine.

The Division respectfully requests a ninety (90) day extension, until December 6, 2025, to respond to the Major Findings cited in the compliance letter. The extension will allow for sufficient time for the Division to meet with CDPHE personnel to discuss the appropriate permitting actions necessary to bring the former Schwartzwalder Mine into compliance with Part I.C.3 of CDPS General Permit No. COR04000.

If you have any questions, please contact me at [peter.hays@state.co.us](mailto:peter.hays@state.co.us) or (720) 786-0024.

Sincerely,



Peter S. Hays  
Project Manager

Ec: Michael Cunningham; Division of Reclamation, Mining & Safety  
Jeff Graves; Division of Reclamation, Mining & Safety  
Rachael Nickless; Division of Reclamation, Mining & Safety