

Douglas W. Charlton
Penngrove, California]
29 January 2026

Colorado Division of Reclamation, Mining and Safety
Board of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, Colorado 80203

Re: Comment in Support of Permit Amendment – Leadville Mill, Lake County, Colorado
(File No. M-1990-057)

Members of the Board,

I respectfully submit this letter in support of the Leadville Mill permit amendment currently under your consideration. I have spent many months mapping and technically assessing the mining claims and surface mineral waste in the Leadville Mining District, and I am familiar with the Leadville Mill facility and nearby slag piles.

I understand that the Board must weigh the technical record, regulatory standards, and public comments in determining whether to approve the permit as submitted, deny the application, or require revision and resubmittal. The comments below are offered with that decision framework in mind.

First, the Board is not being asked to evaluate a new or unpermitted facility. The Leadville Mill has previously been approved, and the applicant seeks authorization for an upgrade to an existing, permitted operation. Accordingly, the appropriate question before the Board is whether the proposed modifications can be permitted with conditions that ensure protection of public health, safety, and the environment, not whether milling activity is inherently appropriate at this location.

Second, the proposed operation should be recognized as an active environmental remediation effort. The project removes historic mine tailings and mineral waste that currently remain on mine-scarred lands surrounding Leadville. These materials constitute ongoing sources of environmental contamination, and their continued presence represents a baseline condition of persistent risk. Removing, processing, and securely managing these materials reduces that risk in a way that passive management does not.

Third, by removing mine waste from the landscape, the project will convert degraded and scarred lands into clean land, making those areas suitable for return to natural conditions, recreational use, or future redevelopment. This outcome directly advances the public interest in long-term land restoration and is consistent with the stated purposes of Colorado's mining and reclamation statutes.

Fourth, the project will remove visual blight, physical hazards, and pollution sources that currently impair the land surrounding the Town of Leadville. The Board may reasonably consider these improvements as tangible, measurable environmental benefits when compared to the no-action alternative.

Fifth, the project reflects a circular-economy approach to mining, recovering secondary metals from legacy mine waste with zero discharge. This approach maximizes the value of already disturbed material while minimizing additional environmental footprint.

Sixth, the project supplies metals to meet market demand without new mining of limited natural resources that should be preserved for use by future generations. This mineral resource preservation also avoids the creation of new mine-scarred land—aligning with broader environmental protection objectives.

Seventh, the project will create employment and sustained personal income in Leadville and Lake County for more than a decade. While economic benefits alone are not determinative in permitting decisions, they are an appropriate consideration where coincident with strong environmental controls and regulatory compliance.

Eighth, the project will generate taxable income, contributing to public revenues at the municipal, county, and state levels. These revenues help support public services and infrastructure without increasing the tax burden on residents.

Ninth, the project will generate demand for local goods and services, including equipment, consumable supplies, lodging, meals, clothing, and other expenditures that directly benefit the Leadville economy and community.

Tenth, and critically, the Project can be effectively regulated and risk-managed. Operations will be governed by enforceable permits and engineered design standards.

- Surface water quality will be controlled through a strict NPDES discharge permit.
- Groundwater protection can be ensured through conservatively over-engineered containment liners.
- Tailings facility safety can be addressed through conservative geotechnical design exceeding minimum requirements.
- Air quality, noise, and traffic impacts can be mitigated through operational controls and truck-routing measures designed to minimize impacts on town roadways.

These risks are controllable, not speculative, and fall squarely within the Board's authority to condition, monitor, and enforce.

Finally, the Board should consider the consequences of inaction. The alternative to this project is not environmental preservation; it is the continuation of existing conditions—

mine-scarred lands that slowly discharge pollutants into the environment with no environmental or community benefit. The opportunity cost of doing nothing is substantial, both environmentally and economically. Colorado's regulatory framework is intended not only to prevent harm, but also to facilitate responsible, well-regulated solutions that measurably improve environmental conditions.

For these reasons, I respectfully urge the Board to approve the permit amendment, or, if necessary, approve it with appropriate conditions, rather than deny or unnecessarily delay a project that advances environmental remediation, economic stability, and the public interest.

Thank you for your careful consideration of this matter.

Respectfully submitted,

Douglas W. Charlton, PhD, PG