

August 22, 2017

Martin McComb
Superfund On-Scene Coordinator
U.S. Environmental
Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202-1129

Laura Williams
Response Unit Leader
U.S. Environmental
Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202-1129

RE: Colorado Department of Public Health and Environment Technical
Concurrence - Camp Bird Mine Reclamation - Ouray County,
Colorado

Dear Mr. McComb:

As you know, the Colorado Department of Public Health and Environment (CDPHE) and Colorado Attorney General's Office (AGO) has recently been coordinating with EPA on your efforts to work with a prospective purchaser to reclaim the Camp Bird mine tailings in Ouray County Colorado.

While the AGO has been working to develop a "Restrictive Notice" to ensure that appropriate post removal site controls remain in-place following reclamation, CDPHE has reviewed the work plan associated with EPA's draft Administrative Order on Consent with the prospective purchaser, Caldera Mineral Resources. The work plan outlines reclamation of both historic tailings to be performed under EPA's CERCLA removal authority and oversight, and recent tailings within the boundaries of an active mining permit that will be reclaimed under

oversight of the Colorado Division of Reclamation, Mining and Safety.

As described, the proposed work does not seem to present a risk of an uncontrolled release of mining impacted water, and therefore, CDPHE defers to EPA's decision to not prepare a fluid hazard analysis for the proposed work. Additionally, CDPHE agrees that the proposed work is consistent with best practices for reclamation of mine tailings and waste rock piles and that stabilization and capping of the tailings will reduce metals load to Canyon Creek and potential impacts to downstream water users.

The state offers this support in conjunction with its on-going efforts to render care, assistance and advice in accordance with the National Contingency Plan and at the direction of EPA's on-scene coordinators and remedial project managers, as set forth in section 107(d) of CERCLA, 42 U.S.C. § 9607(d).

In offering this support, the state is not directing, managing or conducting investigations, evaluations, assessments or response actions, and is not making decisions about compliance with environmental regulations.

If you have any questions, please feel free to call me at (303) 692-3439.

Sincerely,



Monica D. Sheets
Remediation Program Manager
Hazardous Materials and Waste Management Division

cc: Doug Jamison, CDPHE

