



COLORADO

**Hazardous Materials
& Waste Management Division**

Department of Public Health & Environment

August 3, 2020

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

Via e-mail to: Williams.Laura@epa.gov

RE: Potential CERCLA Removal Action, North Star Mine, San Juan County, Colorado

Dear Ms. Williams:

The Colorado Department of Public Health and Environment (CDPHE) has been working with stakeholders from the Water Infrastructure Improvements for the Nation (WIINs) program in response to the Gold King Mine spill. During the fall 2019 meeting, stakeholders unanimously voted to approve the North Star Mine site reclamation to be funded under this program. The North Star Mine site is not being addressed under the CERCLA NPL umbrella. During late fall 2019, a family of beavers took up residence inside the draining mine adit. While these beavers are currently being relocated to a different drainage in San Juan County, they have constructed three water impounding dams and a lodge inside the mine portal tunnel. In order for CDPHE to begin to move forward with design and procurement plans for reclamation of this site, the lodge and dam structures need to be removed.

Unfortunately, at this time, CDPHE's limited Brownfields resources are not sufficient and liability concerns under current protections provided are prohibitive to perform the removal of the lodge and dam structures. CDPHE has determined that State and local authorities do not have the resources or authority to address this type of work and we request a CERCLA removal action to address risks to human health and the environment associated with this site.

Should EPA decide to proceed with a response action at this site, Colorado looks forward to providing support as part of 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).

If you have any questions, please feel free to call me. Due to current COVID restrictions, I can most easily be reached on my cell phone at (303) 913-9375.

Sincerely,

A handwritten signature in blue ink, reading "Douglas C. Jamison". The signature is fluid and cursive, with the first name "Douglas" and last name "Jamison" clearly legible.

Douglas C. Jamison
Superfund\Brownfields Unit Leader
Hazardous Materials and Waste Management Division

cc: Kerry Guy, EPA
Mark Rudolph, CDPHE
David Kreutzer, COAGO

