

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

136 State Capitol Building  
Denver, Colorado 80203  
(303) 866 - 2471  
(303) 866 - 2003 fax



Bill Ritter, Jr.  
Governor

February 24, 2008

The Honorable Dirk Kempthorne  
Secretary  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

Re: Leadville Mine Drainage Tunnel

Dear Secretary Kempthorne:

On Friday, February 15, I wrote to the President seeking his and your intervention to ensure a rapid commitment by the Bureau of Reclamation to assist in addressing a serious problem at the Leadville Superfund site. We specifically sought the Bureau's agreement to treat water that is accumulating behind a blockage within the Leadville Mine Drainage Tunnel, in order to avert the potential for a mine blowout.

I want to express my appreciation for your and the President's assistance in this matter. The Bureau of Reclamation has committed to treat additional water from the Leadville Mine Drainage Tunnel ('LMDT') at its water treatment plant to help reduce the build-up of the mine pool draining into the LMDT. While there are only limited options available to begin relieving this build-up of water, all require that the excess contaminated mine water be treated by the Bureau at its treatment plant. The swift response of the Bureau to provide assistance was critical to the federal and state agencies' mutual efforts to address this serious issue.

We are all hopeful that the current plan to pump water from the Gaw shaft, to drill a well into the LMDT, and to construct a pipeline to transport water pumped from the LMDT to the Bureau's treatment plant will relieve the pressure within the LMDT and mitigate any threat to the people who live near the tunnel entrance or to the environmental quality of the Arkansas River. However, as we move beyond these short- and mid-term measures we need to complete a long-term plan to address on-going drainage from the LMDT. This plan must include a commitment from the Bureau for the long-term treatment of the mine drainage water at the Bureau's treatment plant.

We believe that the following actions must be taken to move forward with a long-term plan:

- a commitment by the Bureau to treat the mine discharge water in perpetuity, and a commitment to seek the necessary authority to do so, if the Bureau believes that additional authority is required;
- a commitment by the Bureau to seek the necessary funding for this treatment and to assure adequate capacity and the long-term viability of the treatment plant; and,
- a commitment by the Bureau to enter into a long-term cost reimbursement agreement to reimburse those agencies that have and will be funding the response to the current situation at the LMDT, and the necessary actions to put in place a long-term solution.

It is imperative that we all work quickly to put together a long-term plan to dewater the mine pool, to prevent any future back-up within the LMDT and any potential blow-out of the LMDT, and to treat mine drainage to prevent the contamination of the Arkansas River. It is also imperative that we act quickly to implement this plan. I'm sure you would agree that we have a responsibility to protect the citizens of Lake County, the downstream users of the Arkansas River, and the aquatic life and wildlife that rely on the Arkansas.

Finally, I want to thank you again for the Department's and the Bureau's rapid response to the state of Colorado's request for assistance at the Leadville Mine Drainage Tunnel. I look forward to working with you in the coming weeks and months to finalize the plans and agreements needed to put in place a permanent remedial action plan that will protect both human life and the environment.

Sincerely,

A handwritten signature in black ink that reads "Bill Ritter Jr." in a cursive, slightly slanted script.

Bill Ritter, Jr.  
Governor