Town of Crested Butte

P.O. Box 39 Crested Butte, Colorado 81224

-National Trust for Historic Preservation's 2008 Dozen Distinctive Destinations Award Recipient-

-A National Historic District-

Phone: (970) 349-5338
FAX: (970) 349-6626
www.townofcrestedbutte.com

December 13, 2013

VIA E-MAIL & FIRST CLASS U.S. MAIL DELIVERY
Ms. Monica D. Sheets
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and Environment
4300 Cherry Creek S. Drive
Denver, CO 80246

Re: U.S. Energy Corp. Voluntary Cleanup Plan Application

Dear Ms. Sheets:

This correspondence is being delivered in conjunction with Mr. Jamison's November 5, 2013 letter to U.S. Energy Corp. ("**USE**") regarding the Colorado Department of Public Health and Environment's suspension of USE's Voluntary Cleanup Program (VCUP) application for the Historic Keystone Mine and the follow-up correspondence of the Town of Crested Butte, High Country Citizens' Alliance (HCCA) and the Red Lady Coalition (RLC) to you dated November 15, 2013.

As you may be aware, pursuant to Colorado law and the Town's Watershed Protection District regulations, for the VCUP to go forward, if at all, USE will in all likelihood be required to obtain a Watershed Protection District Permit from the Town before any physical work can commence on the subject property. The official map of the Town's Watershed Protection District is attached hereto for your reference. Accordingly, the Town cannot comment specifically on the merits of USE's VCUP application. We ask, however, that the Department keep in mind while reviewing the VCUP application the 60-year history of the mine on Mt. Emmons, the role of the wastewater treatment facility and its origins, and USE's interests in eliminating this facility that was required by the Department for public health reasons under the Clean Water Act.

Having said this, HCCA and RLC have raised very serious concerns about USE's VCUP application in their respective correspondence to the Department of December 13, 2013. These concerns are of vital importance to the broader Crested Butte community as they impact the health and safety of our citizenry. We therefore urge the Department and other State stakeholders, along with sister federal agencies, to thoroughly analyze what USE is proposing to do by way of the VCUP. As you may know, there is indeed a long history of USE attempting to negate its obligations to operate the water treatment facility and clean the water coming out of the Historic Keystone Mine.

Again, we respectfully request that all the government stakeholders carefully and diligently review the concerns that HCCA and RLC have put forward. If these matters are not addressed, the VCUP could significantly impair the health, safety and well being of the people of Crested Butte.

Should you require any information from the Town in connection with the concerns raised herein, please contact our Town Manager, Todd Crossett. We thank you, in advance, for your attention to this matter.

Sincerely,

TOWN OF CRESTED BUTTE

By: _____
Aaron J. Huckstep, Mayor

AH:jb
Encl.

cc: Honorable John W. Hickenlooper
Honorable Michael F. Bennet
Honorable Mark Udall
Honorable Gail Schwartz
Honorable Millie Hamner
Larry Wolk, MD, Executive Director, Colorado Department of Public Health & Environment
Mike King, Executive Director, Colorado Department of Natural Resources
Scott Armentrout, Forest Supervisor, U.S. Forest Service
Board of County Commissioners for Gunnison County