

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:
Sent: Thursday, March 04, 2010 10:40 AM
To: Stanton, Irene
Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Theresa Stefaniak

Stanton, Irene

Subject: FW: DRMS Hardrock Mining, Prospecting, and Bonding Rulemaking

From: Dan Dowers
Sent: Thursday, March 04, 2010 10:03 AM
To: Stanton, Irene
Cc:
Subject: DRMS Hardrock Mining, Prospecting, and Bonding Rulemaking

February 25, 2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: *Rulemaking*

Dear Miss Stanton,

Your draft Rules will not bring clarity to the statute. In many cases, you have convoluted the cost/benefit approach necessary for efficient regulation.

First, it is clear that mining opponents realize the sequential aspect to financing a private project. They are proposing rules to take advantage of the sequential process in order to halt mining. Don't be fooled. If an operator finalizes his baseline characterization after receipt of his permit, the outcome is identical to forcing him to dig all the wells prior to receipt of the permit. There is no health or environmental benefit to front loading all the costs.

Second, the word "potentially" is not included in the statute. It should not be included in the Rules.

Finally, you should review the entire draft Rules and remove duplicate regulations that are covered elsewhere in an operator's permitting process.

Sincerely,

Dan W. Dowers, P.G.
Regional Geologist

office: 303-531-0486
9000 E. Nichols Avenue Ste. 225
Englewood, CO 80112



Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:
Sent: Thursday, March 04, 2010 11:15 AM
To: Stanton, Irene
Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Louise Parker

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:
Sent: Thursday, March 04, 2010 1:40 PM
To: Stanton, Irene
Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Deborah Horner

Stanton, Irene

Subject: FW: DRMS Rulemaking

From: Kelly Seavall
Sent: Thursday, March 04, 2010 6:00 PM
To: Stanton, Irene
Cc:
Subject: DRMS Rulemaking

RE: Rulemaking for Hard Rock Mining Operations

Dear Miss Stanton:

Cumbersome and unpractical regulations are strangling our economy. A strict cost/benefit analysis must accompany any new rules and regulations. If the rule imposes more costs than benefits, it should be discarded.

Here are several rules that need reconsideration:

- **Baseline should be finalized after receipt of a permit:**
 - Pre-permit determination ignores every business reality of operating in the real world.
 - A one-step process does not provide further protections.
- **There is no reason to add potentially affected water to the rules:**
 - First, the term has no definable meaning.
 - The statute does not include "potentially" affected water.
 - The rules should not include an undefined, uncertain term.
- **Public comment during prospecting and exploration obstructs the public policy of Colorado.**
 - Inherent in the confidentiality of prospecting are secure property rights. Those property rights will be diluted by the public once knowledge of their value is published.
- **Bonds should not be required for activities that are not within the activities allowed by a prospecting permit.**
 - It makes no sense to have an operator try to guess at the costs of mining while performing prospecting activities.
- **Your "blacklist" should be severely narrowed.**
 - A citizen should only be removed from Colorado's workforce for willful harm to another person that can be proven with a great degree of certainty.
- **Many rules duplicate protections already in place by other regulators and should be removed.**

Thank you for taking my concerns into account.

Sincerely,

Kelly Seavall

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:
Sent: Friday, March 05, 2010 12:21 AM
To: Stanton, Irene
Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

alix josey

Stanton, Irene

Subject: FW: Adopt strong uranium mining rules to protect Colorado's water

-----Original Message-----

From:

On Behalf Of Albert Gauna

Sent: Friday, March 05, 2010 11:48 AM

To: Stanton, Irene

Subject: Adopt strong uranium mining rules to protect Colorado's water

Mar 5, 2010

Colorado Mined Land Reclamation Board members
1313 Sherman Street, Room 215
Denver, CO 80203

Dear Mined Land Reclamation Board members,

I urge the board to adopt rules that ensure the strongest environmental and public health protection of groundwater quality from uranium mining operations and to ensure full public involvement and transparency at all stages of mining development.

Protecting our water quality is critical for Colorado's environmental and economic health. Taking the lead among states, in 2008 Colorado established strong groundwater restoration standards for uranium mining; these standards are set according to the baseline groundwater characterization of an aquifer affected by mining.

The Mined Land Reclamation Board rules should accurately reflect the spirit and letter of these requirements, and ensure that the baseline and the resulting groundwater restoration standards are clearly defined prior to any mine exploration, prospecting or development. Further, once the pre-mining baseline site characterization is established, the rules should preclude changes to that baseline once exploration or mineral development activity begins. Lastly, the rules should confirm the requirement in the law that all uranium mining operations abide by the protective "designated mining operation" standards enacted after the Summitville Mine disaster for operations with potential to threaten local water quality.

I also urge the board to adopt rules that expressly provide the affected public and local governments the opportunity both to submit comments and to seek administrative review of prospecting approvals.

Sincerely,

Mr. Albert Gauna

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:
Sent: Friday, March 05, 2010 1:36 PM
To: Stanton, Irene
Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Cathy Robinson

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:

Sent: Friday, March 05, 2010 2:41 PM

To: Stanton, Irene

Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Please adopt strong clean water protections and ensure all mining companies play by the rules

Very sincerely,

Rebecca Nash

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From: Sent: Friday, March 05, 2010 2:46 PM

To: Stanton, Irene

Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

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*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

alexey davies

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:
Sent: Friday, March 05, 2010 4:06 PM
To: Stanton, Irene
Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

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*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Cheryl Gale

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:

Sent: Friday, March 05, 2010 6:36 PM

To: Stanton, Irene

Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

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*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Randy Piper

Stanton, Irene

Subject: FW: Adopt strong uranium mining rules to protect Colorado's water

-----Original Message-----

From: On Behalf Of Joie Gay

Sent: Friday, March 05, 2010 11:19 PM

To: Stanton, Irene

Subject: Adopt strong uranium mining rules to protect Colorado's water

Mar 6, 2010

Colorado Mined Land Reclamation Board members
1313 Sherman Street, Room 215
Denver, CO 80203

Dear Mined Land Reclamation Board members,

I urge the board to adopt rules that ensure the strongest environmental and public health protection of groundwater quality from uranium mining operations and to ensure full public involvement and transparency at all stages of mining development.

Protecting our water quality is critical for Colorado's environmental and economic health. Taking the lead among states, in 2008 Colorado established strong groundwater restoration standards for uranium mining; these standards are set according to the baseline groundwater characterization of an aquifer affected by mining.

The Mined Land Reclamation Board rules should accurately reflect the spirit and letter of these requirements, and ensure that the baseline and the resulting groundwater restoration standards are clearly defined prior to any mine exploration, prospecting or development. Further, once the pre-mining baseline site characterization is established, the rules should preclude changes to that baseline once exploration or mineral development activity begins. Lastly, the rules should confirm the requirement in the law that all uranium mining operations abide by the protective "designated mining operation" standards enacted after the Summitville Mine disaster for operations with potential to threaten local water quality.

I also urge the board to adopt rules that expressly provide the affected public and local governments the opportunity both to submit comments and to seek administrative review of prospecting approvals.

Sincerely,

Ms. Joie Gay

Stanton, Irene

Subject: FW: Adopt strong uranium mining rules to protect Colorado's water

-----Original Message-----

From: On Behalf Of David Stevens

Sent: Saturday, March 06, 2010 11:21 AM

To: Stanton, Irene

Subject: Adopt strong uranium mining rules to protect Colorado's water

Mar 6, 2010

Colorado Mined Land Reclamation Board members
1313 Sherman Street, Room 215
Denver, CO 80203

Dear Mined Land Reclamation Board members,

I urge the board to adopt rules that ensure the strongest environmental and public health protection of groundwater quality from uranium mining operations and to ensure full public involvement and transparency at all stages of mining development.

Protecting our water quality is critical for Colorado's environmental and economic health. Taking the lead among states, in 2008 Colorado established strong groundwater restoration standards for uranium mining; these standards are set according to the baseline groundwater characterization of an aquifer affected by mining.

The Mined Land Reclamation Board rules should accurately reflect the spirit and letter of these requirements, and ensure that the baseline and the resulting groundwater restoration standards are clearly defined prior to any mine exploration, prospecting or development. Further, once the pre-mining baseline site characterization is established, the rules should preclude changes to that baseline once exploration or mineral development activity begins. Lastly, the rules should confirm the requirement in the law that all uranium mining operations abide by the protective "designated mining operation" standards enacted after the Summitville Mine disaster for operations with potential to threaten local water quality.

I also urge the board to adopt rules that expressly provide the affected public and local governments the opportunity both to submit comments and to seek administrative review of prospecting approvals.

Sincerely,

Mr. David Stevens

Stanton, Irene

Subject: FW: Adopt strong uranium mining rules to protect Colorado's water

-----Original Message-----

From: On Behalf Of Katrina Spivey

Sent: Saturday, March 06, 2010 10:22 PM

To: Stanton, Irene

Subject: Adopt strong uranium mining rules to protect Colorado's water

Mar 6, 2010

Colorado Mined Land Reclamation Board members
1313 Sherman Street, Room 215
Denver, CO 80203

Dear Mined Land Reclamation Board members,

I urge the board to adopt rules that ensure the strongest environmental and public health protection of groundwater quality from uranium mining operations and to ensure full public involvement and transparency at all stages of mining development.

Protecting our water quality is critical for Colorado's environmental and economic health. Taking the lead among states, in 2008 Colorado established strong groundwater restoration standards for uranium mining; these standards are set according to the baseline groundwater characterization of an aquifer affected by mining.

The Mined Land Reclamation Board rules should accurately reflect the spirit and letter of these requirements, and ensure that the baseline and the resulting groundwater restoration standards are clearly defined prior to any mine exploration, prospecting or development. Further, once the pre-mining baseline site characterization is established, the rules should preclude changes to that baseline once exploration or mineral development activity begins. Lastly, the rules should confirm the requirement in the law that all uranium mining operations abide by the protective "designated mining operation" standards enacted after the Summitville Mine disaster for operations with potential to threaten local water quality.

I also urge the board to adopt rules that expressly provide the affected public and local governments the opportunity both to submit comments and to seek administrative review of prospecting approvals.

Sincerely,

Mrs. Katrina Spivey

Stanton, Irene

Subject: FW: Adopt strong uranium mining rules to protect Colorado's water

-----Original Message-----

From: On Behalf Of Victoria Beschenbossel

Sent: Sunday, March 07, 2010 7:25 PM

To: Stanton, Irene

Subject: Adopt strong uranium mining rules to protect Colorado's water

Mar 7, 2010

Colorado Mined Land Reclamation Board members
1313 Sherman Street, Room 215
Denver, CO 80203

Dear Mined Land Reclamation Board members,

I urge the board to adopt rules that ensure the strongest environmental and public health protection of groundwater quality from uranium mining operations and to ensure full public involvement and transparency at all stages of mining development.

Protecting our water quality is critical for Colorado's environmental and economic health. Taking the lead among states, in 2008 Colorado established strong groundwater restoration standards for uranium mining; these standards are set according to the baseline groundwater characterization of an aquifer affected by mining.

The Mined Land Reclamation Board rules should accurately reflect the spirit and letter of these requirements, and ensure that the baseline and the resulting groundwater restoration standards are clearly defined prior to any mine exploration, prospecting or development. Further, once the pre-mining baseline site characterization is established, the rules should preclude changes to that baseline once exploration or mineral development activity begins. Lastly, the rules should confirm the requirement in the law that all uranium mining operations abide by the protective "designated mining operation" standards enacted after the Summitville Mine disaster for operations with potential to threaten local water quality.

I also urge the board to adopt rules that expressly provide the affected public and local governments the opportunity both to submit comments and to seek administrative review of prospecting approvals.

Sincerely,

Ms. Victoria Beschenbossel

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:

Sent: Monday, March 08, 2010 7:30 AM

To: Stanton, Irene

Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Jeffrey Greenberg

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:
Sent: Friday, March 05, 2010 3:21 PM
To: Stanton, Irene
Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting. Our public lands are sacred places and, despite the potential economic benefit of increased uranium mining in Colorado, it is essential that we preserve these places.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely, Jonathan Huff

Jonathan Huff

Feb. 14, 2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Rulemaking to Amend the Mineral Rules and Regulation of the Colorado Mind Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations

To Whom It May Concern:

I have several concerns on the rulemaking amendments for mineral rules and regulations. They are as follows:

- Rules related to posting of financial warranty activities under the baseline site characterization and monitoring plan that may require some extent of reclamation:
 - Any financial warranty that DRMS or the Board may require for baseline site characterization and monitoring activities should clearly be limited to an amount sufficient to cover only those activities.
 - Mining activities that may occur at some point in the future should not be included in the plan.

- Rules related to the prohibition of environmental “bad actors” from obtaining reclamation permits for in situ mining activities:
 - This blackball provision of the rules is far too broad and as a result could disqualify good companies from running or taking over, in situ leach mining operations because of minor technical or administrative violations in some other state at some time in the past by a person or entity only nominally related to the applicant or claim holder.
 - These provisions of the rules need to be narrowed significantly to catch only the bad actors, and let the good operators get a reclamation permit to run a good mine.

In summation, I ask that all financial warranties required be clearly limited to the amount sufficient to cover only current activities and the bad actor provision be narrowed to protect good operators.

Sincerely,



RECEIVED

MAR 08 2010

Division of Reclamation,
Mining and Safety

02/10/2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Rulemaking for Mineral Rules and Regulations

Dear Ms. Stanton,

There is already ample opportunity for the public to make its views known on proposed mining operations. The new rules you have proposed add numerous additional (unnecessary) public comment and intervention mechanisms to the process up to and even after issuance of a reclamation permit.

This is absolutely ridiculous. The Colorado Mined Land Reclamation Act already provides ample opportunity for the public to learn about, and raise concerns about, proposed mining operations. This existing law provides public participation opportunities at the right time – when an operator seeks a reclamation permit.

The existing rule provides sufficient opportunity to comment on proposed mining operations. The new rules will undermine the process, building in large delays and additional costs to mining permitting and operations all without improving public health or the environment. This is just more bureaucratic rigmarole that will distract you from actually protecting the health and land.

I urge you to strike the new rules related to additional public comment and intervention mechanisms from the rulemaking document.

Sincerely,



RECEIVED
MAR 08 2010
Division of Reclamation,
Mining and Safety

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Rulemaking for Mineral Rules and Regulations

Dear Ms. Stanton,

Overall, I think the rules look great. DMRS should be applauded for all the work they've been doing. I have a pretty nitpicky change. But this particular word could cause a whole host of legal problems down the road. The word is "potentially". It appears in a couple of places and I'll explain why I have a problem with this.

One of the first instances of the word "potentially" cropping up is under the definitions section. The text is as follows:

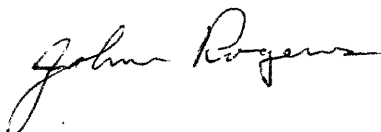
Affected surface water and ground water means for purposes of the baseline site characterization and monitoring plan required for applications for in situ leach mining operations that surface water or ground water affected or reasonably potentially affected by such mining operation.

The use of the word potentially is inappropriate in this scenario. The Mined Land Reclamation Act provides for regulation of all affected water not potentially affected water. In adding the word potentially you are trying to expand the authority of the DRMS outside the scope of the Mined Land Reclamation Act. I'm pretty sure this was just an oversight but it could have "potentially" been a very bad step for the agency.

The other reason the word potentially should be taken out of the rules is that this opens the whole process up to a plethora of lawsuits. Including a vague word such as "potentially" will only cause confusion and encourage challenges to the scope of every study performed for in situ leach mining operations under the theory that no matter how broad the scope of the study, *potentially* additional water could be affected.

I look forward to reading the revised rules (minus the potentially). Thank you for taking my comments into consideration.

Sincerely,



RECEIVED

MAR 08 2010

Division of Reclamation,
Mining and Safety

02-16-2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: DRMS Rulemaking Designated Mining Operations

Dear Ms. Stanton,

The new rules regarding the additional public comment and intervention processes will cost America JOBS, waste TAXPAYER money and DO NOTHING TO PROTECT PUBLIC HEALTH. All these new ways for the "public", which you and I both know just means anti-development obstructionists hell-bent on stopping all mining operations in Colorado, will just delay the overall process.

I think you should look at some of the other rulemaking processes and the controls that were put in place to STOP ANTI-DEVELOPMENT FOLKS FROM ABUSING THE SYSTEM. Like in the oil and gas rules there is a provision that only counties can file objections to APDs. This is to ensure that frivolous suits can be thrown out at the county level instead of wasting the time of the board.

The CURRENT RULES PROVIDE ENOUGH WAYS FOR THE PUBLIC TO GET INVOLVED and have the necessary controls to ensure that frivolous objections can be thrown out.

Best,



RECEIVED
MAR 08 2010
Division of Reclamation,
Mining and Safety

February 12, 2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

Dear Ms. Stanton,

I am writing today regarding the New Rules and Amendments Proposed by the Division of Reclamation, Mining and Safety to the Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal and Designated Mining Operations. While I applaud the agency on drafting these rules, it appears that the agency personnel tasked with drafting the ground water quality standards do not fully understand the standards that already exist and also do not understand how the proposed standards would conflict with existing standards.

In fact, the rules related to ground water quality standards are so atrocious that they need to be completely redrafted to include a more sensible and realistic water quality standard that is attainable – unlike the duplicative standards proposed in the rules – and consistent with the federal Safe Drinking Water Act underground Injection Control program.

In the current form, the proposed rules only add more standards. They do nothing to provide a comprehensive approach to protecting public health and the environment. And they certainly do not take applicability or workability into account.

As previously stated, the rules related to ground water quality standards should be significantly modified to better address water quality standards. Currently, the duplicity of proposed rules make it impossible for a given operation to efficiently meet the standards. I therefore ask that you modify the aforementioned rules and make them more consistent with the federal Safe Drinking Water Act Underground Injection Control program.

Sincerely,



RECEIVED

MAR 08 2010

**Division of Reclamation,
Mining and Safety**

February 14, 2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RECEIVED

MAR 08 2010

Division of Reclamation,
Mining and Safety

RE: Proposed Rulemaking and Baseline Site Characterization

Dear Ms. Stanton,

I'm impressed that you are willing to alter some provisions of the draft Rules. Several provisions are troubling and warrant serious consideration for revision.

The Mined Land Reclamation Act takes great pains to separate prospecting activities from mining operations. These draft Rules must do the same. Mining opponents may claim to not understand the difference between these two activities, but that is not enough to confuse the two within the Rules. There must be an initial determination of baseline. That initial determination must later be augmented with all data gathered prior to the commencement of mining activities. If the data is not augmented, it will allow unscrupulous operators to hide data that may feel is unfavorable to their later restoration efforts. In this instance, the vocal mining opponents have it backwards. By restricting baseline to initial efforts, it opens the door for abuse, not enhanced protection of the groundwater.

The draft Rules must implement the language of the statute. The statute does not include a provision that includes all "potentially" affected water. That expansion in the Rules is unauthorized and should be fixed.

Warranty bonds should be required for only those activities allowed by the bond. Attempts to bond for speculative future activities does not make sense or promote fairness. This is likened to making operators cross-insure their competitor's projects. It just doesn't make any sense. I recommend you re-draft that provision.

I encourage you to revise the "blackball" provision of the draft Rules. A citizen should only be precluded from working after a showing of actual harm to other's or a serious violation of another state's rules. In today's corporate environment, minor administrative violations should not follow an individual around and inhibit his ability to earn a living.

Lastly, I'm very concerned about the broad expansion of the public's access to confidential prospecting and exploration activities of private businesses. Those activities are private for longstanding good reasons. None of those reasons has changed because of the technological advances of in situ recovery. You should not attempt to alter them here.

Thank you,

Jeff Rippey



02 14 2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Rulemaking for Mineral Rules and Regulations

Dear Ms. Stanton,

I am writing you today to express my opinions on the rulemaking to amend the mineral rules and regulations for hard rock mining operations in Colorado.

It is no secret that mining operations have a myriad of state and federal rules and regulations that it must comply with. It is also no secret that federal rules have primacy over state rules. I guess what I'm trying to get at is that the CO Mined Land Reclamation Board is preempted from attempting to regulate activities that are already handled by other agencies - especially federal agencies.

What was noticeably absent in the rules was the recognition that there are overlapping spheres of authority and expertise and instead of trying to reinvent the wheel by regulating areas already taken care of by other agencies. For example, the rules should carefully spell out that double bonding would never be required under any circumstance.

I also think it would be wise for the Division of Reclamation, Mining and Safety to enter into a Memorandum of Understanding with other agencies overseeing aspects of in situ leach mining operations to lay out clearly which standards apply to each aspect of mining operations.

Thanks,



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MAR 08 2010
Division of Reclamation,
Mining and Safety

February 09, 2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Rulemaking for Mineral Rules and Regulations

Dear Ms. Stanton,

First, let me start by saying I think you guys are doing a great job on the rulemaking process and I really appreciate how much you are trying to involve the public. However, I do feel that some of your proposed rules take the desire to get the public involved just a little too far. My biggest concern is in the hearing section of the rules. I think there is going to have to be a major rewrite in this section.

In section 2.8.1 General Provisions - Board Hearings—PROCESS AND TELEPHONIC APPEARANCES, it states that a third party can attend the Board hearings by telephone instead of showing up in person. I think this is bad policy. The situation lends itself to the abuse of the public comment system. If a third party – one who isn't required to give reason why they can't be there – can just call in their opposition to every mining proposal it will interfere with the Board's ability to evaluate all the information submitted.

I do appreciate your agency's effort to try and create more ways for the public to be engaged but at some point, you have to look on the proposal and see if they are practical. I certainly don't think the telephone appearances section is practical and will only hinder the process. I therefore respectfully ask that you remove that portion from the rules.

Sincerely,



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02.15.2010

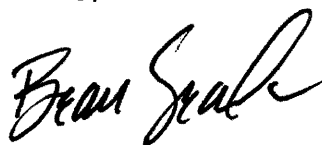
COLORADO MINED LAND RECLAMATION BOARD
ATTN: IRENE STANTON
1313 SHERMAN STREET, ROOM 215
DENVER, CO 80203

DEAR MS. STANTON,

THE RULEMAKING CURRENTLY BEING DRAFTED BY THE DIVISION OF RECLAMATION, MINING AND SAFETY FOR MINING OPERATIONS ARE INCONSISTENT WITH THE TWO-PHASE STRUCTURE OF THE MINED LAND RECLAMATION ACT. THE ACT CLEARLY DELINEATES BETWEEN PROSPECTING ACTIVITIES AND MINING ACTIVITIES. THE RULES AT A MINIMUM SHOULD CLARIFY THAT PROSPECTING ACTIVITIES CAN BE CARRIED OUT PRIOR TO THE BASELINE SITE CHARACTERIZATION, SO THAT THE OPERATOR CAN DECIDE WHETHER THERE IS ENOUGH TECHNICAL AND ECONOMIC REASONS TO PURSUE A RECLAMATION PERMIT FOR MINING ACTIVITIES AT THE SITE.

THE DRAFT RULES CONFUSE THE PROCESS BY CALLING INTO QUESTION TO WHAT EXTENT PROSPECTING ACTIVITIES CAN BE DONE AT A POTENTIAL SITE, BEFORE THE REQUIREMENT IS TRIGGERED FOR DEVELOPING A COMPREHENSIVE BASELINE SITE CHARACTERIZATION AND MONITORING PLAN. IF YOU MOVE FORWARD WITH THIS APPROACH IT WILL UNDERMINE THE RIGHTS OF THE POTENTIAL OPERATOR CONDUCT PROSPECTING ACTIVITIES UNDER THE MINED LAND RECLAMATION ACT.

THANK YOU,



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MAR 08 2010

Division of Reclamation,
Mining and Safety

02/10/2010

Colorado Mined Land Reclamation Board
Attn: Irene Stanton
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Rulemaking for Mineral Rules and Regulations

Dear Ms. Stanton,

There is already ample opportunity for the public to make its views known on proposed mining operations. The new rules you have proposed add numerous additional (unnecessary) public comment and intervention mechanisms to the process up to and even after issuance of a reclamation permit.

This is absolutely ridiculous. The Colorado Mined Land Reclamation Act already provides ample opportunity for the public to learn about, and raise concerns about, proposed mining operations. This existing law provides public participation opportunities at the right time – when an operator seeks a reclamation permit.

The existing rule provides sufficient opportunity to comment on proposed mining operations. The new rules will undermine the process, building in large delays and additional costs to mining permitting and operations all without improving public health or the environment. This is just more bureaucratic rigmarole that will distract you from actually protecting the health and land.

I urge you to strike the new rules related to additional public comment and intervention mechanisms from the rulemaking document.

Sincerely,



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MAR 08 2010
Division of Reclamation,
Mining and Safety

Stanton, Irene

Subject: FW: HB08-1161 & SB08-228 rulemaking

-----Original Message-----

From:

Sent: Monday, March 08, 2010 12:45 PM

To: Stanton, Irene

Subject: Re: HB08-1161 & SB08-228 rulemaking

Dear members of the Mined Land Reclamation Board:

I am writing to you today in support of protecting our water and our lands from the impacts of uranium mining and to ensure that the public is heard on issues of mine prospecting.

The final rules for House Bill 08-1161 and Senate Bill 08-228 should adhere to the following principles:

*Uranium companies should be held accountable for cleaning up their mess and returning groundwater quality to its original state that existed before any mining or mine prospecting took place.

*All uranium companies should play by the rules as a "designated mining operation" and submit environmental plans to minimize the impacts of toxic uranium pollution on our land, water and communities.

*The public, local governments, and other stakeholders must be notified about mine prospecting activities and have the right to submit comments on proposed prospecting permits.

*The public and stakeholders should have the ability to appeal mine prospecting permit decisions to ensure that the environment and public health are protected in those decisions.

Very sincerely,

Jennifer Jenkins