

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106



January 28, 2014

Michael D. Shumway
Liberty Mining, LLC
P.O. Box 1032
Moab, UT 84532

John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta Piñeda
Director

***RE: Liberty Mine, File No. M-2013-070, Designated Mining Limited Impact 110d Operation
Reclamation Permit Application, Preliminary Adequacy Review***

Dear Mr. Shumway:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced application in order to ensure that it satisfies the requirements of the *Colorado Mined Land Reclamation Act* (Act) and the associated *Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations* (Rules). During review of the material submitted, the Division determined that the following issue(s) shall be adequately addressed before the application can be considered for approval.

Exhibit C

1. Item C (1.i) states "In the event excessive ground water is encountered in the underground workings, the water will be treated and discharged in accordance with state and federal water quality standards." If quantifiable / excessive ground water is encountered the operator must submit a technical revision to address what methods will be implemented to address a ground water issue. Please commit to this requirement.
2. In C (1.i) it states "On-site surface water will be captured and used in the underground mining operations or will be evaporated in the detention ponds." Does the applicant hold or is the applicant trying to acquire water rights that will allow the use of captured surface water in underground mining operations? If water rights are held please submit documentation that demonstrates the rights have been obtained.
3. Item C (1.i) states that detailed stormwater management information can be found in Exhibit U (4.a.i). No storm water management information is included with the application. Please submit a detailed stormwater management plan along with an engineered drainage design plan.
4. Please address the requirements of Rule 6.3.3(1)(m).
5. Please address the requirements of Rule 6.3.3(1)(n).
6. Please identify the specific location(s) and the area required for the proposed mine ventilation system.
7. Please specify the exact amount of road improvement proposed to support the mining operation. If any widening of the existing roads is proposed will the roads remain within the proposed permit area? If not an amendment of the application or a submittal of a 112(d) application may be required if the total proposed disturbance is greater than ten acres.

Exhibit D

8. Addressing Rule 6.3.4(1)(b), please provide the Division with the maximum anticipated thickness that waste rock will be placed.
9. Section D (1) states "Access roads to the site will be up graded during mining operations and will be left open for recreational access after the mine has been reclaimed." Does the Bureau of Land Management concur with the proposed reclamation configuration?
10. Section D (1.c.iv-v) describing seeding and mulching states "...broadcast seeding at one and a half times acceptable rate of drill seeding." Please commit to a broadcast seed rate of twice the drill seed rate.
11. Please submit a weed control plan.
12. Section D (1.e) Location Specific Reclamation; please clarify if topsoil will be placed on the waste rock and overburden stockpiles upon reclamation. If topsoil is not proposed to be placed please describe what growth medium is proposed.

Exhibit E

13. Per Rule 6.2.1(2)(b) maps must be signed by the map maker. Please submit maps that have the signature of the qualified map maker.
14. The off-site topography is not portrayed on the maps provided. Please provide revised maps that portray contour lines with enough detail to determine how the proposed mining area is related to the adjacent land at a distance of at least 300' outside of the proposed permit area.
15. Please address Rules 6.3.5(3)(d) and 6.3.5(3)(e).

Exhibit U

16. Please commit to submitting engineered "as-built" designs for the ore pad.
17. Specify the proposed dimensions of the waste rock pile.
18. On page 54 of the application it is stated that "Historical mining in the Uravan Mineral Belt has demonstrated that acid mine drainage is not likely because minerals commonly associated with uranium deposits lack sulfides necessary to produce acid leaching." Has any testing within in the proposed mining area been conducted to verify that acid forming conditions do not exist? If not please commit to conduct a site specific geochemical analysis of the waste rock and ore to determine whether or not acid forming conditions exist.
19. U (7) states stormwater and water collected in the ore pad sump pond will be used in the underground mining process. As requested in adequacy item number two of this review, if water rights are held please submit documentation that demonstrates the water rights have been obtained.
20. Please address the requirements of Rule 6.2.21(7)(e).
21. Please address the requirements of Rule 6.4.21(7)(f).
22. Please address the requirements of Rule 6.4.21(8). The application does not currently provide enough detail regarding this rule.
23. Please address the requirements of Rule 6.4.21(9)(a).
24. Addressing Rule 6.4.21(10)(a), please provide design specifications certified by a licensed professional engineer for all Environmental Protection Facilities.
25. Please provide engineered designs for the proposed configuration of the detention ponds. Also, please commit to providing "as-built" drawings of each of the ponds once they are constructed.

26. Please provide a stormwater management plan. Per the requirements of Rule 6.4.21(10)(b) the plan must include a maintenance and inspection program to ensure all drainage control and containment facilities will be properly operated and maintained.
27. Please address the requirements of Rule 6.4.21(11)(a) and (b). According to the rule the application must include information regarding existing surface water receiving standards, existing or reasonably potential future uses of surface water and, where receiving standards have not been determined, within two (2) miles, downgradient of the affected lands. The information provided in the application only discusses water within 1.5 miles of the proposed mining area.
28. According to Rule 6.4.21(12) a water quality monitoring plan must be submitted. According to the quarterly water quality monitoring report received January 1, 2014 MW-1 had water collected and sampled. Please submit a water quality monitoring plan that meets the requirements of Rule 6.4.21(12) and Rule 3.1.7.
29. Per the requirements of Rule 6.4.21(13)(b)(i), please submit one data set for the wettest year on record for the area of the proposed mine.
30. Due to the waste rock containing constituents at levels higher than federal, state and agricultural levels is any type of impermeable liner proposed below the waste rock pile to prevent unpermitted discharges?

Please submit your response(s) to the above listed issue(s) by February 10, 2014, in order to allow the Division sufficient time for review prior to the February 19, 2014 decision date. If additional time is required to respond to the issues a request to extend the decision date must be submitted no later than February 10, 2014 or the application may be denied. The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information or have questions or concerns, please contact me at the DRMS Grand Junction Field Office at phone no. (970) 241-2042.

Sincerely,



Travis Marshall
Environmental Protection Specialist

cc: Cynthia A. Gray
Souder Miller and Associates
401 West Broadway
Farmington, NM 87401

Scott Gerwe
BLM-GJFO
2815 H Road
Grand Junction, CO 81506

Russ Means, DRMS