



Department of Energy

Washington, DC 20585

January 6, 2020

Ms. Martha E. Rudolph, Environmental Programs Director
Department of Public Health and Environment
State of Colorado
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Subject: Environmental Assessment for Proposed Reclamation Activities, Uranium Leasing Program, Burro Tunnel Mines Complex, San Miguel County, Colorado

Dear Ms. Rudolph:

In accordance with the National Environmental Policy Act (NEPA)¹, the U.S. Department of Energy (DOE) Office of Legacy Management (LM) is notifying you that we are currently preparing an Environmental Assessment (EA) for proposed reclamation activities at the Burro Tunnel Mines Complex located in Slick Rock, Colorado (see enclosed Figure). The proposed reclamation activities are considered a federal action, thereby requiring our NEPA review and this notification.

The Burro Tunnel Mines Complex includes three separate and distinct mine sites; the Burro Tunnel mine, the Burro No. 3 shaft mine, and the Burro No. 5 shaft mine. The Burro Tunnel mine site is located along the east side of County Road S8, which is adjacent to the Dolores River (west side of County Road S8). Alternatives being evaluated in the EA are: (1) taking no action to reclaim any of the mine sites, (2) reclaiming the entire Burro Tunnel Mine site in-place, and (3) relocating the mine waste material from the Burro Mine Complex to an abandoned gravel pit located approximately 0.5 mile south of the Burro Tunnel mine and reclaiming the Burro Mine Complex site. Alternative 3 is the proposed action.

LM administers the Uranium Leasing Program (ULP), which includes 31 lease tracts within the Uravan Mineral Belt of southwestern Colorado. The Burro Tunnel mine site is a permitted mine, whose surface facilities are located on DOE lease tract C-SR-13. The surface estate of the Burro Tunnel mine site is privately owned by the Lessee (Gold Eagle Mining, Inc.). The Burro Nos. 3 and 5 mines are pre-law mine sites located on the unpatented Burro Nos. 3 and 5 mining claims; the mine-waste-rock dumps of these mine sites encroach onto the lease tract, historically covered by a special use permit.

LM invites the state of Colorado to participate as a cooperating agency. The Colorado Division of Reclamation, Mining and Safety (DRMS) is an ongoing partner in evaluating activities on the ULP tracts. In recent years, DRMS has served as the cooperative agency within the Colorado government for NEPA on the ULP. LM requests this same agency for this effort to maintain continuity because DRMS is the State agency with authority and responsibility to assure

¹ National Environmental Policy Act (Title 42 *United States Code* Section 4321 et seq. [42 USC 4321 et seq.]); the Council on Environmental Quality "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act"; the requirements of DOE Policy 451.1, *National Environmental Policy Act Compliance Program*; and DOE "National Environmental Policy Act Implementing Procedures" (Title 10 *Code of Federal Regulations* Section 1021 [10 CFR 1021])



operators conduct uranium and vanadium prospecting, mining, and reclamation operations in compliance with applicable State laws and regulations. The U.S. Bureau of Land Management is also being invited to be a cooperating agency.

We expect your agency's involvement to entail only those areas under its jurisdiction and expertise. No direct writing or analysis will be required from you for preparation of the proposed EA document. The actions we will take to maximize interagency cooperation may include the following:

- Consulting on relevant technical studies that will be required for the project, including technical revisions to the lessee's DRMS permit
- Organizing joint field reviews with DRMS
- Requesting review of relevant sections of the EA prior to its release for comment by the public and other agencies
- Encouraging the use of project-related documents to express DRMS opinions on subjects within DRMS jurisdiction and expertise

The proposed EA process will enable the DRMS to discharge its jurisdictional authorities and responsibilities. LM is preparing the EA and providing public involvement opportunities during the NEPA process consistent with NEPA requirements. Currently, it is anticipated the Draft EA will be distributed for public review and comment in 2020. LM will consider all input from the public, cooperating agencies, consulting agencies and tribes, and other stakeholders on the Draft EA in its decision making. LM will prepare either a Finding of No Significant Impact or an Environmental Impact Statement based on the results of the EA evaluation.

We look forward to consulting with the DRMS and addressing your comments on this notification. Please forward your comments to us by January 24, 2020.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact me at (303) 410-4806 or David.Shafer@lm.doe.gov, or Deborah L. Barr, P.G., Uranium Leasing Program Manager at (720) 880-4352 or Deborah.Barr@lm.doe.gov. Please address any correspondence to:

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Office of Legacy Management
11035 Dover St., Ste. 600
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Sincerely,

David S. Shafer, PhD

David S. Shafer, Ph.D.
Director, Office of Site Operations

Enclosure

cc w/enclosure:

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DOE Read File

File: ULP 3000-06

