



August 14, 2025

Scott Bakken
Energy Fuels Resources (USA) Inc.
225 Union Blvd, Suite 600
Lakewood, CO 80228

RE: Whirlwind Mine, Permit No. 2007-044, Technical Revision TR-3

Dear Mr. Bakken:

During the review of TR-2 the Colorado Division of Reclamation Mining and Safety (Division) identified additional items that needed to be brought up to date prior to re-commencing production at the above listed site. The Division's December 31, 2024, is attached for reference.

On August 11, 2025, the Division received a response from Energy Fuels in regard to that December 31, 2024. Additional clarification and guidance for submitting information is listed below. The Division apologizes if this process was not clearly outlined in the previous letter.

Environmental Protection Plan (EPP) and Environmental Protection Facilities (EPF)

Items 1, and 6 relate to updating the EPP and EPF's. This information needs to be submitted in the form of a Technical Revision (TR). It can be submitted with other items or as a separate TR. Both the EPP and EPFs need to accurately reflect the operation moving forward and meet the minimum requirements of the Act and Rules. The TR must be approved prior to re-commencement of production.

Groundwater Monitoring Plan

Items 2, 3, and 4 address water quality. In the form of a Technical Revision please provide the Division with your Groundwater Monitoring Plan. This plan will include the proposed well locations, a justification for their locations and proposed borehole(s) construction/configuration. The Plan will establish point(s) of compliance. Numerical values for groundwater quality parameters that represent the applicable Interim Narrative Standard at those points should be proposed, with justification. The plan shall also clearly describe the sampling protocol.

If drilling and sampling is necessary to collect baseline data before the complete details of the long-term groundwater monitoring plan can be proposed, it will likely be necessary to break the project into two separate Technical Revisions.



Once the Plan (TR) is approved the well(s) may be installed and sampling will commence as specified in the approved Plan. Please report baseline sample results on a quarterly basis. Once a minimum of 5 consecutive quarters of baseline groundwater sampling has been provided to the Division, data may be provided quarterly or annually as specified by the operator in the Plan. The Operator must establish baseline groundwater prior to re-commencing production.

Linkan System

Item 5. Testing for the purposes of certification is different than utilization for production. The Division assumes that several rounds of commissioning and testing take place prior to the water treatment system being certified by Linkan. Upon completion of testing, please provide the Division with any red-lines and a final certification verification by a professional engineer or other appropriately qualified profession that will confirm that the facility was constructed in accordance with the approved design plan. This information shall be submitted as an addendum to the already approved TR-2. Once accepted by the Division the facility will be certified for full use.

Please submit your response(s) to the above listed items prior to commencement of production. If you require additional information, or have questions or concerns, please feel free to contact me.

Sincerely,



Amy Yeldell

Environmental Protection Specialist

Enclosures:

[Basic Standards for Groundwater, Regulation No. 41
2019 Technical Bulletin
guidance on groundwater sampling and analysis](#)

Ec:

Travis Marshall, Senior EPS, DRMS
Leigh Simmons, DRMS
Dawn Kolkman, Energy Fuels
Jenniffer Whittington, BLM