

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

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February 6, 2013

Glen Williams  
Cotter Corp.  
P.O. Box 700  
Nucla, CO  
81424

John W. Hickenlooper  
Governor

Mike King  
Executive Director

Loretta Piñeda  
Director

**RE: C-LP-21 Mine, File No. M-1977-305, Amendment (AM1) Application Adequacy Review (2)**

Dear Mr. Williams:

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.

1. A request to release 0.87 acres from the permitted area was incorporated with this application. A request to release acreage must be processed separate from this AM1 application and in accordance with Rule 4.17. Additionally, the introduction to the AM1 application states that 0.87 acres are requested for release from the permitted area. The first table in Exhibit A shows that 2.32 acres are to be removed from the permitted area (rows 8-11). The second table in Exhibit A shows that 1.71 acres are to be removed from the permitted area. The table in Exhibit D also shows that 2.32 acres are to be removed from the permitted area (rows 8-11). Please correct these inconsistencies prior to submission of the above noted release request.
2. Exhibits D and U (pp. D-5 and U-4) of the AM1 application and the *Response to Adequacy Review #1* state that the high clay content of the soils underlying the proposed ore pad will contribute to limiting downward mobility of any potentially leachable constituents from the ore. Neither Exhibit D or Exhibit U include design details for the ore pad, nor a description of the properties of the clay soil underlying the ore pad, such as clay type, thickness, cation exchange capacity, compaction, hydraulic conductivity, optimum moisture content, etc. Please submit design details for the proposed ore pad. The attached *General Ore Pad Construction Criteria* may be a useful resource for preparing the ore pad design.
3. Exhibit E (pg. E-4) of the AM1 application contains little detail regarding reclamation of the ore pad. The reclamation plan proposes to cap the ore pad with adjacent waste rock and to revegetate. The Division believes there is potential for uranium and related constituents to be leached from the ore stockpile. Therefore there is potential that the underlying clay material will contain elevated levels of radionuclide following mining. Please submit a plan for reclaiming the ore pad that will ensure that radionuclide levels will not exceed the baseline conditions submitted with the AM1 application package.
4. The AM1 EPP states that there is a lack of well information, and that it is difficult to identify the upper-most aquifer (pg. U-14). Rule 6.4.21 (8) requires that the upper most aquifer underlying

the proposed operation be identified. Please identify the upper-most aquifer per the requirements of Rule 6.4.21 (8).

5. The EPP states that the limited time the ore will be stored on the ore pad will contribute to limiting the adverse affects of the ore to groundwater (pg. U-4). Please inform the Division of the maximum amount of time that ore will be stored on the ore pad. Also, please inform the Division of the detailed methods the operator will take to ensure that ore is stored on the pad no longer than proposed.

Please submit your response(s) to the above listed issue(s) by Friday, February 22, 2013, in order to allow the Division sufficient time for review.

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.

Sincerely,



**Dustin Czapla**  
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Division of Reclamation, Mining and Safety  
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Cc: Ed Cotter, DOE

Ec: Russ Means, DRMS GJFO