

BEFORE CHIP CAMERON, FACILITATOR

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: IN RE: :
: U.S. Department of Energy Draft Uranium Leasing :
: Program Programatic Enviromental Impact Statement :
: Public Hearing. :
: :
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Montrose, Colorado
Tuesday, April 23, 2013

PURSUANT TO NOTICE to all parties in interest, the above entitled matter came on for public hearing on Tuesday, April 23, 2013, commencing at 7:00 p.m., at Johnson Elementary School, 13820 6700 Road, Montrose, Colorado, before Elizabeth W. Schnittker, Registered Professional Reporter.

1 P R O C E E D I N G S

2 MR. CAMERON: If everybody could take their
3 seats, we're going to get started with the formal part
4 of tonight's public hearing.

5 Good evening, everyone. I'm Chip Cameron,
6 and I'd like to welcome you to the Department of
7 Energy's public hearing on the Draft Uranium Leasing
8 Program Programmatic Environmental Impact Statement.
9 And we're going to try not to use a lot of acronyms
10 tonight, but one acronym you will hear is PEIS, that
11 stands for Programmatic Environmental Impact
12 Statement.

13 And I'm pleased to serve as your facilitator
14 in tonight's hearing, and in that role I'll try to
15 help all of you to have a productive meeting tonight.

16 I'm a private contractor under contract to
17 the Argonne National Lab in Chicago, Illinois, who is
18 supporting the Department of Energy in the preparation
19 of this PEIS.

20 And what I wanted to do just for a few
21 minutes is to go over some of the logistics of
22 tonight's meeting so that you know what to expect
23 tonight. I'd like to tell you about the objectives
24 for the meeting, the agenda to the meeting, and just
25 go through a few simple ground rules that will help us

1 to have a productive meeting tonight.

2 In terms of the objectives for the meeting,
3 there are two objectives: And the first is to provide
4 you with information on the Draft PEIS. And in a few
5 minutes, Ray Plieness, from the Department of Energy,
6 is going to give you an overview of what's in the
7 Draft PEIS.

8 And the second objective is to hear your
9 comments, hear your advice, your concerns, your
10 recommendations on the alternatives and potential
11 impacts that are discussed in the Draft PEIS.

12 Now, as you'll hear from Ray, the Department
13 has also requested written comments on the information
14 in the PEIS. And the due date is May 31; it's been
15 extended from May 16. And hopefully tonight's
16 presentation by the Department and the discussions
17 with the Department staff and Department experts will
18 give you more information to inform your written
19 comments, if you choose to submit written comments.

20 But I want to assure you that anything that
21 you say tonight, if you speak, that's going to carry
22 the same weight as a written comment. And of course
23 you're free to do both, speak tonight and send a
24 written comment into the Department.

25 And there's a sign-in sheet up front outside

1 for people who want to speak.

2 Elizabeth is our court reporter tonight.
3 We're taking a transcript of the hearing, and that
4 transcript will be publicly available to all of you.

5 Our agenda for the meeting is pretty
6 straightforward: We're going to have Ray Plieness
7 talk to you about the Draft PEIS, and after that,
8 we're going to go straight to public comment. We're
9 going to go straight out to you to have you come up to
10 the music stand, that's really a fake podium up here,
11 and I'm going to give you this microphone. And if you
12 would just introduce yourself to us, and any
13 affiliation, if that's appropriate, and tell us what
14 you have to say about the Draft PEIS.

15 And we're going to save any questions on the
16 presentation, on the process, for after the meeting
17 where the Department is going to be here with its
18 experts to answer any questions that you might have,
19 to discuss any of your concerns with you.

20 And just in terms of a few simple ground
21 rules, to make sure that we hear from everybody
22 tonight, I'm going to ask you to follow a five-minute
23 guideline in your presentations. And I'll let you
24 know when it's about four minutes and ask you to sum
25 up.

1 And if you have more that you want to tell
2 the Department, then you can amplify that in a written
3 comment tonight.

4 And the other thing is the Department is
5 here tonight to listen carefully to your comments and
6 to what you have to say on the Draft PEIS. They're
7 not going to be responding to any of those comments
8 after you make them, but they will be carefully
9 evaluating them as they prepare the Final PEIS.

10 But of course, when we get to the informal
11 meeting after the public hearing is concluded, they
12 may talk to you about what you've said tonight and
13 discuss those comments that you made with you and try
14 to find out more about what your concerns are.

15 And just a couple administrative details:
16 The restrooms, if you go out there and make a right,
17 they're down there. But there's also some down there.
18 And just as a standard thing that we always do at a
19 public meeting, emergency exits, there's one right
20 there. If you go out the door and go straight, it
21 goes to the playground.

22 So with that, let me bring Ray Plienness up.
23 He is the document manager for the Uranium Leasing
24 Program Draft PEIS. He's also the hearing officer for
25 tonight's meeting.

1 And Ray, are you ready?

2 MR. PLIENESS: I'm ready.

3 MR. CAMERON: Okay, here you go.

4 MR. PLIENESS: Thanks. I'm going to move
5 this podium -- or music stand, whatever you want to
6 call it -- a little bit back.

7 First of all, I'd like to thank everybody
8 for coming here to give your personal time. Actually,
9 I had heard a comment that, "I don't know how many
10 times we need to do this." Well, I applaud you for
11 continuing to do and support whatever issues you want
12 to have here at the public meeting. But I do
13 personally applaud that you're taking your personal
14 time to come here and participate in this process.

15 Because we developed a 1,200-page document
16 with as much technical data and information as we can,
17 but there's one major piece missing, and that's the
18 public input part of that. And that's what we're
19 trying to fill in at this point.

20 MR. CAMERON: Ray, I think you're going to
21 have to maybe hold the microphone closer so people can
22 hear more clearly, is what I've heard.

23 MR. PLIENESS: Okay. For those that are
24 aware, we did have a meeting in Grand Junction last
25 evening. Some of the participants that are here were

1 also at the meeting in Grand Junction. Welcome back.
2 We have our meeting here tonight, and then we'll be in
3 Telluride on Wednesday night and on to Naturita
4 Thursday evening.

5 Presentation overview: We'll talk a little
6 bit about the purpose and the need for the action.
7 That's the action of why are we needing to evaluate
8 this.

9 The proposed action is what is actually the
10 event that we're spending our time getting your
11 comments on and our time developing a guideline; what
12 is that all about.

13 We'll talk about the history of the uranium
14 leasing program, as well as the cooperating agencies
15 that have helped us develop this document. We've had
16 a lot of participation from them.

17 We want to give a summary of the
18 consultation that we've taken to date with the U.S.
19 Fish and Wildlife Service. And we'll talk about the
20 alternatives -- all five alternatives. We'll
21 differentiate for you which ones -- what the
22 differentiation is between 1, 2 and 3, 4 and 5, in
23 particular.

24 And then talk just a little bit about the
25 preferred alternative, and most importantly what are

1 the next steps in this process as we evaluate the
2 Draft PEIS.

3 I think I have dyslexia. Go backwards.

4 Purpose and need. There's basically two
5 policies that we're applying here: The Atomic Energy
6 Act, which really authorized and directed DOE, or at
7 that time the Atomic Energy Commission, to develop a
8 supply of domestic uranium, as well as the 2005 Energy
9 Policy Act.

10 And so in support of those, the DOE is in
11 the process of evaluating the Uranium Lease Program.

12 And within that, we're really going to come
13 to what we call the proposed action. The decision is
14 two things: One, are we going to continue the
15 program; and two, if we do, how do we do that?

16 "Proposed action" being a term very familiar
17 to NEPA, those that are involved with NEPA. But it
18 really is a decision or the thing that we're trying to
19 evaluate with this document. I just went over it,
20 because it also happened to be part of our purpose and
21 need.

22 But it really is, are we going to have a
23 program, if so, how do we manage it.

24 The leasing program started back in 1948.

25 It's been operated -- historically there

1 were three programs: '48 to '62, '74 to '94, and then
2 again from '96 to 2008.

3 There's an existing program we'll talk about
4 in just a second, but during that time, these were
5 actually the time frames when uranium mining actually
6 occurred on the lease tracts. Nothing's happened
7 really since 1980 of any significance. But during
8 that initial period, they produced 8.1 million pounds
9 of uranium, 42 pounds of vanadium and 65 million in
10 royalties.

11 A third program is for 31 lease tracts.
12 They encompass an area of approximately 25,000 acres
13 in southwest Colorado. Right now we have 29 of those
14 lease tracts leased. Of those, eight lease tracts
15 have mines on them; I believe there's nine mines on
16 eight of these tracts.

17 And we have two additional lease tracts that
18 are not presently within the lease tracts that are
19 leased. One of those is along the Dolores River and
20 probably will never been leased.

21 The lease tracts basically parallel or are
22 near Highway 141 south of Gateway and north of Egnar.

23 Present position for where we're at in the
24 program: After we published the Notice of Intent to
25 Develop a Programmatic EIS, there was a court order

1 that issued two documents -- two orders to DOE
2 basically identifying that they believe -- the
3 plaintiffs believed and alleged that DOE did not
4 adequately evaluate the program.

5 And of course, with the NEPA rules, based on
6 a Programmatic -- at that time we did an environmental
7 assessment versus an environmental impact. And they
8 also alleged we had not adequately involved Fish and
9 Wildlife Service and Endangered Species Act
10 evaluation.

11 Based on that, the Court ordered a stay to
12 the program, so presently there is no activity on any
13 of the lease tracts except for environmental
14 monitoring and any safety issues that might occur.

15 How is that for volume? Are we okay?

16 This is a fairly healthy document, and we
17 couldn't have done it alone. We have cooperating
18 agencies, and we use them to help us with expertise
19 that we would not otherwise have.

20 On the federal side, two entities that work
21 with us, Environmental Protection Agency and the
22 Bureau of Land Management, have provided us not only
23 information on how they do mining reclamation, in
24 BLM's case, as well as protection of this area, which
25 is still BLM (inaudible) surface rights.

1 Also EPA gave us information and support in
2 helping human health risks and other factors from the
3 environmental side that could be impacted by these
4 actions.

5 State of Colorado had three early active
6 participants: Colorado Department of Transportation
7 for transportation considerations; the Division of
8 Reclamation of Mining and Safety, which administers
9 most of the mine rules within the state, and is
10 actually a participant in the lease program to help us
11 monitor and manage the leases, if we have any mining.

12 And then the Colorado Department of Parks
13 and -- or Wildlife for wildlife protection in the
14 county -- I mean in the state.

15 County representatives were four counties
16 participated in this program as cooperating agencies:
17 Montrose County here, as well as Mesa County, San
18 Juan, and San Miguel.

19 We also had five Indian tribal governments
20 actively participating as cooperating agencies.

21 Consultation with U.S. Fish and Wildlife
22 Service: We started informal consultation
23 about a little over a year ago. We've had a number of
24 meetings with Fish and Wildlife Service. We are
25 required to review any action we have in accordance

1 with the Endangered Species Act to ensure that any
2 federal action does not jeopardize the continued
3 existence of any endangered species or destruct or
4 adversely impact the critical habitat for species that
5 are on the endangered species list.

6 We have been, as I said, in formal
7 consultation. We did develop a biological assessment;
8 that is in the review process. As part of that, we've
9 had discussions with the Fish and Wildlife Service and
10 determined that one of the determinations that's in
11 the PEIS identified is incorrect.

12 Water pollution within the upper Colorado
13 River basin are -- well, there is a de minimis number
14 like .1 acre feet, anything above that is considered
15 an adverse impact to the four endangered fish species.
16 So we're updating that in our BA, as well as when we
17 do a Final PEIS, it will identify that.

18 But what that does, then, is puts it in
19 formal consultation, which we will start in the next
20 couple of weeks with the Fish and Wildlife Service.

21 What was evaluated within the PEIS is 14
22 resource areas, anywhere from air quality, ecological
23 resources, human health effects, waste management; and
24 then hopefully you can see the list of 14. But
25 cumulative impacts, I'll mention later -- on the next

1 slide, actually, is a critical part for this
2 particular area.

3 The information we use to analyze those
4 impacts against were site specific information,
5 information we got from historical mining that's been
6 done in the area, not just in our lease tracts but
7 across the Uravan mineral belt.

8 We also -- so we also looked at information.
9 We even had somebody, I think, commented that we used
10 some international information. And that's absolutely
11 true. Wherever we can get the best information. I
12 wouldn't say we always use the most conservative, but
13 in most cases we use the most conservative information
14 as we analyze these impacts.

15 And the places we did use the most
16 conservative were probably where we had a whole lot of
17 local data and could really apply that.

18 Cumulative impacts are those potential
19 impacts -- I hope no one is offended if I term it, at
20 least in my family, that's where you say that might be
21 the straw that broke the camel's back. And even
22 though our area might be just a small piece of
23 additional environmental impact, cumulatively across
24 the environmental impact, we need to consider
25 basically those things that are past, present, and

1 future, in your foreseeable reasonable, future as you
2 look at this. And this is the incremental increase to
3 that cumulative impact.

4 We also use looked at measures to minimize
5 and/or prevent -- I guess some people think you can't
6 prevent these potential impacts -- and maybe that's a
7 bad term, because preventing means there's absolutely
8 no impact, and that's not what I mean. What I mean is
9 really evaluating (inaudible).

10 But our cooperating agencies spent a lot of
11 time with us on this and really focused -- I think
12 that's in table -- I think it's table S 5.1. Let me
13 be sure on that. Yes, it is table S 5.1.

14 There are 12 areas that we looked at. We
15 got, like I said, a lot of input from our cooperating
16 agencies, anywhere from dust control to traffic
17 considerations to wildlife mitigation, of things that
18 you would do to minimize those impacts.

19 We've categorized them in three categories:
20 One is a compliance issue. So if it's required, it's
21 a compliance measure. There's a state, federal, local
22 law that already had to happen; we assumed it would
23 happen. Still needs monitoring, but it's included.

24 We also have a few DOE lease requirements.
25 We call these mitigation measures. They either are in

1 the existing lease or could be added to the lease, if
2 we have areas that we need to add protections.

3 And then lastly, dust management practices.
4 Those are things that the industry does as a whole
5 and, well, we can't guarantee they will happen. Most
6 of the time they've already been happening. I mean,
7 there are things like you don't leave your engines
8 running all day; they're standard practices that the
9 industry does.

10 Now I'd like to just kind of quickly
11 describe the alternatives. Alternative 1, I think I
12 mentioned last night, this might be what people call
13 the no mining alternative. It would basically reclaim
14 the existing mines we have. And within that, we
15 wouldn't return the lands to BLM, but we would
16 continue to manage them.

17 Doesn't mean that sometime down the future
18 the decision couldn't be changed, but at least during
19 this PEIS process, the decision would be to maintain
20 those DOE ownerships without mining going on at that
21 time.

22 Alternative 2 is very similar to alternative
23 1, with the exception that once they're reclaimed, DOE
24 would try to have those brought back into the public
25 domain and request BLM to evaluate whether they were

1 adequately reclaimed. If they elected or believed
2 that was the case, then they would come back in the
3 public domain under the BLM's direct use and multiple
4 use policies.

5 So in that case, I can't tell you mining
6 would happen, but I can tell you mining could happen.

7 Alternative 3 is basically the alternative
8 that continues what was existing in 2007 before we did
9 our Programmatic Environmental Assessment. This
10 particular one had 13 leases at the time, and this
11 alternative would return us to those 13 leases and
12 manage that program.

13 Alternative 4, which is our preferred
14 alternative, would continue the 31 lease tracts that
15 we have for another 10 years, and until or another
16 reasonable time frame.

17 Alternative 5 -- 4 and 5 look very similar.
18 The difference in those two is timing. Alternative 5
19 basically would allow the existing leases we have to
20 continue from now until the end of the lease period,
21 which would be about 2018.

22 So 4 would continue 10 years from now; 5
23 would take into the account the fact that we've
24 already worked out 5 years of the existing lease
25 period.

1 Does that make sense, the difference between
2 4 and 5?

3 As I mentioned, the DOE preferred
4 alternative does end up being alternative 4. I do
5 want to mention that alternative 4 would be evaluated
6 programmatically in this PEIS, but any of the
7 alternatives 3, 4 or 5 -- actually, for that matter,
8 even 1 and 2, there still would be additional actions
9 that have to be evaluated.

10 For every impact, they're very site
11 specific. While I can talk about programmatic and
12 think about what's going to happen, especially in
13 alternatives 3, 4 and 5, if somebody wanted to do
14 exploration on mining, they would be very specific
15 about where they're going to do it, how they're going
16 to do it, and have that environmental health -- we
17 would have additional environmental considerations
18 that we'd have to take into consideration at that
19 time.

20 For the alternative -- in the preferred
21 alternative, we assume the maximum mines that would be
22 operating at any given time would be 19 mines. So all
23 of our transportation and impacts of those nature for
24 how many trucks would be on the road, that type of
25 stuff, were based on 19 mines operating at one time.

1 The maximum number of mines we had operating
2 in 1980, which was the maximum for the lease tracts,
3 was 20.

4 Potential impacts. I'm going to summarize
5 this slide with the top. While the evaluation is
6 taken into consideration of the 14 resource areas,
7 basically our evaluation indicates that potential
8 impacts are generally negligible to moderate.

9 And that -- I'll just jump to the next
10 slide.

11 The negligible to moderate is really similar
12 for cumulative impacts, but the -- what really is
13 critical is that these are based on compliance
14 measures, mitigation measures, and best management
15 practices. They would minimize that to what we'd call
16 compliance -- not everybody likes that term, but if
17 you get all of that, you will be compliant with all
18 federal, state, and local laws for all the resource
19 areas.

20 So the next steps that we have are
21 considering public comments. As I mentioned, we've
22 done a lot of research and a lot of investigation,
23 consideration of the impacts, mitigation measures, now
24 we have to get input from the public to bring this
25 thing to a final conclusion.

1 What we anticipate doing is by the end of
2 May, the 31st of May, we will consider comments. We
3 will accept comments past that, and we'll use them if
4 we can, if we're not already past whether they're
5 useful for us. But the comment period is May 31.

6 We will take those comments, develop a
7 draft, from our draft, a final. And that final we
8 expect to have by the end of this calendar year,
9 December of 2013.

10 And then in 2014, first quarter of that
11 year, we hope by March to have made a final decision.
12 And that decision is what we call -- it says a ROD,
13 Record of Decision. And that's critical because
14 that's really where somebody makes the final call what
15 are we going to do.

16 So I guess with that, within your packet, if
17 you didn't get one, you can pick it up. It has the
18 slides and additional information for written
19 comments. And within that, you can comment to me, you
20 can comment to the ULP PEIS web side, and you can
21 comment tonight.

22 Chip is going to go into that shortly. And
23 after the meeting when we go back to the posters to
24 have discussion about any specifics you have, if
25 you're not the kind of person that wants to stand up

1 here and raise your hand and be noted, please take the
2 chance to sit down with Elizabeth and provide a
3 comment. We'll get a chair up here, and you can do
4 that as well.

5 Last but not least, somebody asked me last
6 night, Well, has this decision been made? And I can
7 guarantee you I'm an advocate of evaluating things as
8 you go. I think we provide an opportunity for you to
9 have consideration, but we are not done with our
10 decision. That's why we're here, is to hear this major
11 piece, which is the public's input.

12 So I don't want anybody to think we aren't
13 going to take that information and use it very
14 judiciously for the final decision. So please make
15 your comments.

16 Chip?

17 MR. CAMERON: Thank you very much, Ray.
18 We're going to go to the speakers who signed up. And
19 we'll also check in with anybody who didn't sign up
20 after they're done to see if someone else wants to
21 talk.

22 And our first three speakers are Patrick
23 Siglin, Dennis Mitchell, and Susie Adamson.

24 Patrick, I'm going to ask you to come up
25 here and use this.

1 PATRICK SIGLIN: Evening, everyone. My name
2 is Patrick Siglin, I'm a geologist for Black Range
3 Minerals; we're a uranium mining company and have an
4 office located in Golden, Colorado, and Canon City.

5 And I support the Department of Energy's
6 recommendation on this PEIS. I support it because I
7 believe that the mining of uranium through the
8 generation of power by using uranium can be done
9 safely and efficiently. And therefore, I believe that
10 it is in the best interest of Montrose County, Mesa
11 County, San Miguel County, the directly surrounding
12 areas, the state of Colorado and the United States of
13 America to follow the recommendation of the Department
14 of Energy at this point. Thank you.

15 MR. CAMERON: Thank you very much, Patrick.
16 Dennis?

17 DENNIS MITCHELL: My name is Dennis
18 Mitchell; I've lived in Montrose for 36 years. I
19 support the biggest amount of leases that you can
20 open. For the simple reason that we don't mine our
21 resources in this country; we mine from somewhere
22 else, and they pollute a lot worse than us. If you
23 want to go look and see what they do in China, look on
24 the Internet and see the mining there.

25 I've been involved in mining and minerals my

1 whole life, and this is important, because we don't
2 have this resource too much in this country. Uranium
3 is hard to find, and we have to buy it from countries
4 we are not friends with. They will cut us off one
5 day.

6 This stuff does not kill you. It's in my
7 pocket.

8 There is another problem, too. We have a
9 small group of people in this country that fight
10 everything over and over again. A lot of them in
11 Telluride, who brought the last lawsuit, they used
12 more energy, they used more gas in their cars, and
13 they used more heat in their homes. Yet they fight
14 everything.

15 They would close our coal plant down, they
16 will close this down, they'll close our oil and gas
17 down. And this has got to stop, because it's costing
18 all of us a fortune to live.

19 That's my comment. Thank you.

20 MR. CAMERON: Thank you, Dennis.

21 And Susie, can you come up?

22 SUSIE ADAMSON: Okay. Maybe you guys can
23 understand me. I hope so. My name is Susie Adamson;
24 I'm a Colorado native; I was born here.

25 MR. CAMERON: Susie, can I can interrupt

1 you, because we need to make sure that Elizabeth can
2 see you. So if you can just move... Beautiful. Okay.

3 Go ahead, Susie.

4 SUSIE ADAMSON: I'm an old lady now. I'm
5 almost 80. Environmental groups over and over put
6 (inaudible) on companies that are trying to do
7 legitimate business and let people have a job.

8 I hate what's happening out there. And
9 people have enough money to throw it away while people
10 that need the jobs starve to death. I think you guys
11 better keep it going where the 31 can go. They have
12 to have the jobs. We have to have the uranium.

13 There's also minerals up there that are
14 worth a ton of money to our development. They're rare
15 earths. We need to get these. We're not going to get
16 them from China much longer, so let's get rid of the
17 lawsuit-happy people, okay? I'm tired of the
18 lawsuits.

19 Shoot, we have (inaudible) that have been in
20 the planning stages for 75 years and we can't get it
21 because of environmental (inaudible). It's gone too
22 far. It's time to stop. It's time to let this go.
23 And I appreciate you trying to get it going. Thank
24 you.

25 MR. CAMERON: Thank you very much, Susie.

1 Mr. Hallenburg, do you want to say
2 something? And then we're going to go to Glen
3 Williams, Betty Oglesby and Wally Smith. And this is
4 Steven Hallenberg.

5 STEVEN HALLENBURG: Good evening.
6 Respectfully, I'd like to submit my name is Steven
7 Hallenburg, I live here in Montrose, Colorado. Been
8 here since 1990. I work in an industry that is
9 governed by regulations. I work for a local company.
10 I live here; I work here. But it's driven by
11 regulations.

12 And as you saw in some of the presentation
13 here, they refer to the CFR, and they refer to other
14 things. That's great, and that's what they should do.
15 I'm not opposed to the mining of uranium, but just
16 some of the facts that are related to this.

17 The Energy Fuels company, that's a Canadian
18 company. And it has been reported in the Denver paper
19 that this uranium will be going out of the country.
20 Now, if you watched the presentation, right at the
21 beginning, it said that it was for domestic use.

22 Well, I believe in that. I think that if we
23 are going to mine uranium, vanadium, or these rare
24 earths, then it should be utilized in this country.
25 That is the whole point of using our resource, okay?

1 So I think it's a bit of a conflict when I
2 see the fact that this is a Canadian company. These -
3 - this uranium is going to be going through China,
4 just so we're clear here, all right?

5 So many of our resources that we mine,
6 whether it's oil, gas, or some of these minerals, they
7 don't just stay here. I believe ideally it would be
8 good if they were. And I'm not opposed to jobs at
9 all.

10 But finally, what I would like to say is
11 having, you know, worked in and in a regulated type of
12 business, which is the gas industry, I would just like
13 to say that the air quality and the water quality,
14 it's a very sensitive thing that we deal with living
15 in this area.

16 And any of you that live here -- obviously I
17 know some of you, I mean, we want the best of both
18 worlds. We want to be able to use this resource, maybe
19 provide jobs; but if we don't have, you know,
20 independent inspection agencies actually monitoring
21 the air and monitoring the water constantly while
22 these -- if this goes through, then I think it's just
23 a total lack of, you know, proper oversight that we
24 need for our very sensitive ecological area. Thank
25 you.

1 MR. CAMERON: Thank you, Steven.

2 Glen? Glen Williams? And then we'll go to
3 Betty.

4 GLEN WILLIAMS: Yeah, I'm Glen Williams, and
5 I work for Cotter Corporation in Nucla; I've been over
6 there for 30-plus years. And the last couple of
7 years, I've been heavily involved in doing permit
8 amendments for all of our mines that we have. We've
9 got eight of the mines that they have listed right now
10 that have mines on them.

11 And I know with the way the regs in this
12 state are right now, I've been dealing with these
13 permits for the last two years trying to get the
14 amendments, and all the things you have to satisfy as
15 far as surface water quality, ground water quality,
16 any air emissions they're concerned about, all of
17 that, it's nothing like the old days back in the '70s
18 or so when people just used to set up a compressor and
19 start drilling and start mining.

20 You have to meet a whole list of criteria to
21 satisfy just to get your permit so you can start
22 breaking ground.

23 And so personally, I'm all for either
24 alternative 3, 4 or 5. But I think 4 or 5 are the
25 best, personally.

1 And I do have an issue with just one of the
2 things I saw up there about the four species of fish
3 that potentially will be impacted. I believe there's
4 only four lease tracts, probably, right above the San
5 Miguel in Uravan that might have potential to impact
6 those fish.

7 But again, with the criteria we have to deal
8 with with the State just to get that mine permit,
9 surface water quality and ground water quality are big
10 issues for them. And I really don't expect that there
11 will be any problem with any of those fish that you
12 guys have listed in there that you're thinking about.

13 So again, I'm all for the alternative 4, 5
14 or 3. So thank you.

15 MR. CAMERON: Thank you, Glen.

16 And Betty?

17 BETTY OGLESBY: Thank you. I'm Betty
18 Oglesby, and I lived in this area from '70 to '92.
19 Actually, I worked for Glen Williams back in the late
20 '70s and early '80s. So I do approve this, I support
21 it. I don't think there's a negative impact here; I
22 don't think there is a negative air quality impact.

23 I lived there, I raised my kids there, I
24 worked for the mine, I've been there. I've lived it.
25 And I do not believe there's an impact to the fish in

1 that river or bedrock either. So I know we had scenic
2 river impact studies going about a year ago; I worked
3 on the studies in the Delta area and worked with some
4 of the people in San Miguel County doing those. So I
5 do not think there is an impact. Thank you.

6 MR. CAMERON: Thank you very much, Betty.
7 We're going to go to Wally Smith and then Marvin
8 Ballantyne and Jim Riddell.

9 WALLY SMITH: I'm Wally Smith. I live in
10 Montrose. I've lived in the west almost all my life,
11 except a couple years. I am a downwinder. And mining
12 is not like it used to be, let me tell you. It is a
13 total different picture.

14 Everybody throws up all the problems we've
15 had in the past; yes, we had to win World War II, but
16 we won it. And a lot of the west end was opened up
17 (inaudible) was after the war. And the canyon had no
18 road down through there, and it was paved and done by
19 the Department of Energy, I think, in the '40s.

20 And that was to get uranium out of there.
21 I'd just like to say that I've been in the Caribbean
22 quite a bit and in South America, and the Chinese are
23 buying up a lot of the minerals and the gas. And this
24 should scare you to death.

25 We have two mines in Ouray County. I think

1 both of those mines are Chinese mines. And I think
2 this is domestic, we need to hold on to our own and
3 not ship it out. I think that's really important.

4 I was in the manufacturing business for 30
5 years. And I know without the trace metals and these
6 things, I wouldn't have been in business. And if we
7 run out of these, China is going to run it.

8 And if you think that's wrong, we wouldn't
9 have any of those solar problems -- solar projects,
10 because it takes certain metals to make those bearings
11 work. And without those, we are dead.

12 And I think we need to make sure that we do
13 it domestic, though. I think that's important.
14 Because China is buying up our destiny, and we're
15 selling it to them. And we have to watch out for
16 this. Thank you.

17 MR. CAMERON: Thank you very much, Wally.
18 And Marvin Ballantyne is coming up to speak to us.

19 Marvin?

20 MARVIN BALLANTYNE: Thank you. Good
21 evening, my name is Marvin Ballantyne, I'm a member of
22 Western Colorado Congress, but I'm just speaking on my
23 own here tonight.

24 You know, whatever alternative is approved
25 here does not make mining happen. Mining is a

1 function of the market; there's no market right now
2 for uranium, and there may not be for a long time, no
3 matter what you do about it. Because there's many
4 places we can get uranium a lot cheaper than the west
5 end of this county.

6 What's been supplying in part for a long
7 time, I understand, is the Russian weapons. And that
8 program is going to end, but it's going to switch from
9 government to private, where Russians can sell their
10 uranium, their bomb-grade uranium directly to the
11 power plants. They have to diminish its power a
12 little bit first by diluting it, but there's still a
13 lot of uranium that can last for years.

14 And then the United States has 20,000
15 warheads that they haven't done anything with, I
16 understand. That's the supply.

17 Besides that, around the world, there are a
18 lot of places uranium is mined much less expensively
19 than the United States. And in the United States,
20 almost all uranium is coming from in situ mines right
21 now, I believe, where it's much, much cheaper than
22 digging it out of the ground and milling it like what
23 has to be done in the west end.

24 Thank you for doing the PEIS draft. I'm
25 happy that it's the draft; I think there are a number

1 of issues that need to be looked at again. People
2 talked about some impacts tonight. It was in the
3 summary that I read that kept saying that there were
4 minimal impacts, that as an example, wildlife and
5 outdoor recreation.

6 Some of the other things I noticed in the
7 PEIS under Environmental Justice, it stated that --
8 this is a quote here -- there are no minority or low
9 income populations within the region of cumulative
10 impacts.

11 And I have to wonder about that. Did
12 anybody look? We're complaining about jobs in the
13 west end, but the EIS and the PEIS says there's no
14 economic hardship? That's crazy.

15 Under Waste Management, the conclusion is
16 that impact is expected to be minor. How could that
17 possibly be true of a mining operation?

18 Anyway. And on the subject of jobs, it said
19 that the preferred alternative -- I guess it says the
20 impacts of uranium mining would be generally
21 considered beneficial.

22 I'd like to submit that maybe that's not
23 true over the long term; we've got boom, bust, boom,
24 bust. Every time the boom was related to a federal
25 underwriting of the price of uranium. And that's

1 going to happen in the future, so how is this going to
2 work for providing sustainable, long-term good paying
3 jobs.

4 And since 1980, jobs have actually been
5 increasing. And sustainable if they're recreation,
6 hunting, fishing, hiking, mountain climbing, many of
7 those things that are perfectly benign as far as
8 environmental concerns.

9 They pay okay, they don't -- they're not
10 destructive, and they are long term. And I would
11 submit that even talking about uranium at this point
12 can be damaging to the opportunity for investment in
13 outdoor activity businesses.

14 We can build a hotel in an area where you
15 want to, but was it going to be tainted by a uranium
16 mine or mill? I think not.

17 And finally, the jobs. Lots and lots and
18 lots of jobs can be created by DOE and the federal
19 government getting behind the clean-up of 1,200
20 uranium mines that are already there and are not
21 producing, haven't been doing anything for years, but
22 they're an environmental hazard, and something that's
23 not pretty to look at.

24 So I would encourage DOE and our federal
25 government to get after the whole idea of cleaning up

1 what's there to a healthy standard. And that would
2 provide lots of jobs. And they can start right now;
3 you don't have to wait for the price of uranium to go
4 from \$45 a pound to 75 or more, which I don't think is
5 going to happen. Thank you very much.

6 MR. CAMERON: Thank you, Marvin. And this
7 is Jim Riddell. Then we're going to go to Dave
8 Crawford.

9 Jim?

10 JIM RIDDELL: Thanks. I'm Jim Riddell, and
11 I'm a member of the Uncompahgre Valley Association,
12 which is part of the Western Colorado Congress. But
13 as Marvin said, I'm not speaking on behalf of the
14 organization, just as an individual.

15 Most of you probably have been into this
16 area we're describing here. And if you drive through
17 that area, you come across a really remarkable feature
18 of engineering that I suspect most of you have seen.
19 If you haven't, I encourage you to see it.

20 It's a thing that was built about a hundred
21 years ago called the hanging flume. And how many of
22 you have ever rafted or floated under the hanging
23 flume? Okay, several other people. I appreciate
24 that.

25 It's really a spectacular feature there.

1 And it was a part of a mining project almost a hundred
2 years ago that turned out not to find what they were
3 looking for and not turn out to be economically
4 viable, and turned out not to get cleaned up in the
5 sense that there's still about six miles of cliff with
6 posts sticking out from the side of the wall.

7 Now, in the case of gold mining that they
8 were hoping to do there, it might be a better thing
9 that they never found it, for our sake, because it
10 probably would still have clean-up issues left today
11 whether it be water leeching into the rivers or things
12 like that. And instead we're just left with something
13 rather amazing and wonderful to look at and speculate
14 about.

15 I don't really want to think that my
16 daughter a hundred years from now is going to be
17 looking back at what was being done tonight and think,
18 Oh, that wasn't such a good thing that we ended up
19 leaving this legacy behind.

20 I know that we say that the industry has
21 changed a lot and there isn't contamination and nearly
22 the problems that there used to be, but I think that
23 we need to watch that really, really carefully.

24 There have been an awful lot of industries -
25 - I was just seeing a show about the deep water

1 horizon explosion, last night even, of an industry
2 that said how safe it was, what wonderful procedures
3 they have nowadays. There still are plenty of risks.

4 And meanwhile, there still is an awful lot
5 left over from before that needs to be cleaned up.

6 Now, I'm not proposing that we take down the
7 remnants of the hanging flume, we'll leave those for
8 the historical interest. But there's a lot of mining
9 activity, particularly from the uranium mining that
10 still persists in that area. And I'd like to see that
11 stuff be fully cleaned up before we get start digging
12 new ore out of the ground.

13 In that light, one of the things we
14 certainly need to look at is making sure that there is
15 a definable standard for what constitutes "cleaned
16 up." I've been informed there is currently no
17 standard that we can reliably say, Oh, there won't be
18 any impact after these things are reclaimed because we
19 don't even know what the standard will be for what
20 reclamation will be.

21 As Marv said, this is a boom-and-bust
22 industry, and as most mining tends to be, there was an
23 unusual spike in the price of uranium about four or
24 five years ago that suddenly made a lot of these
25 things that otherwise wouldn't have been worth doing

1 seem financially viable.

2 I'd like to see that the leasing, if it
3 happens, is not just open ended but is tied in so that
4 it has to wait for the market price to come up before
5 activity can really commence on new mining.

6 The Environmental Impact Statement, one of
7 the deficiencies that we see in that statement is the
8 level to which the information was gathered at long
9 distance. We need to have really good efforts that
10 we've seen that people have looked at it, gotten on
11 the ground, and seen the conditions that are reported
12 are actually what's there.

13 Maybe they are, probably they are, but we
14 really want to see more evidence of that.

15 Along the lines of whether the market price
16 is high enough to sustain mining operations, part of
17 that would be dependent on whether or not there are
18 mills available to take the ore. If the ore is not
19 going to go to the mills that are being proposed, then
20 we shouldn't be doing leasing. So I'd like to see
21 that that be tied together in the leasing permitting,
22 if there is to be lease permitting.

23 And finally, I think it's just been briefly
24 mentioned, but I think there are plenty of
25 opportunities in addition to jobs coming from

1 recreation and the potential with cleaning the
2 environment, there also is a potential for jobs coming
3 from clean energy development, which would nicely
4 coexist with the conditions of the legacy of the
5 previous mining operations. Thank you.

6 MR. CAMERON: Thank you for those remarks.
7 Okay. Dave? Dave Crawford?

8 DAVE CRAWFORD: My name is Dave Crawford;
9 I'm a resident of Montrose. I come to these meetings
10 frequently; I hear people coming up with some
11 interesting ideas. No one mines uranium because of
12 the pleasure of going underground and extracting
13 minerals. They go there because there's an economic
14 viability. That's the only conceivable reason why
15 anybody would go underground.

16 And the processes that are taking place are
17 extraordinary. People who are mining right now are
18 trying to stay ahead of it, because they know there
19 are new regulations heading their way.

20 The mine up here that mines coal has got two
21 shelves, six feet long; two shelves with six feet
22 each. Coal. Imagine what uranium has got. Okay.
23 Yeah.

24 I just can't imagine why we're still
25 speaking as though we're back in the '60s or the '70s.

1 When I was on the board with the environmentalists, I
2 believed it was a really good idea. I see
3 environmental (inaudible) the political sector, and
4 has nothing to do with the sweet little animal we've
5 got to protect or whatever it is they come up with.
6 It's moot. It's now political.

7 We went from peace movement and antiwar
8 movement to antiadministration movement to the
9 antigovernment movement to the antimilitary movement
10 to the antiAmerican movement. That's where we are,
11 and the environmental movement is part of it. Trust
12 me, I was one of them. Thank you.

13 Wayne?

14 WAYNE QUADE: Thank you. Well, good evening
15 everybody. I'm a resident of Montrose, and I've
16 worked with environmentalists in my past job. Two
17 things that I'd just like to bring out and discuss, or
18 have discussed, basically involve the costs and
19 remediation.

20 As far as the cost, I'm talking about the
21 fact that these leases are far too cheap. They do not
22 consider the environmental cost to both the community
23 and the environment. And we're not recouping what we
24 could recoup through the -- really the fire sale
25 prices that they're offering these leases.

1 And then the other thing is remediation.
2 And as far as remediation goes, we need to worry about
3 more than just filling in the hole and bringing in the
4 topsoil, we need to adequately have -- utilize
5 standards of reclamation, including the improper soil
6 profiles, and of course we need to independently
7 monitor to make sure that it is monitored to come back
8 to its native state.

9 And as far as the monitoring goes, we need
10 to have benchmarks of acceptability. In other words,
11 they're not released from the -- from their -- they're
12 not released from the lease requirements until they
13 meet these benchmarks. They're independently verified
14 as to having the native vegetation come back into its
15 natural state.

16 So those are two things that I think we need
17 to -- that I'd like to identify.

18 MR. CAMERON: All right. Thank you, Wayne.
19 Is there anybody else who wants to speak to the
20 Department and to the community? Anybody want to make
21 any comments?

22 Yes, sir. Want to come up? And just please
23 introduce yourself.

24 DAVID WHITE: Okay. I'm David White, I'm a
25 Montrose County Commissioner. And we've already

1 submitted our comments in writing. We are in support
2 of the DOE's position, alternative number 4; I just
3 want to reaffirm that here in person. Didn't know
4 what the comment period would look like.

5 I also would like to point out that in this
6 document that's available to everyone here tonight,
7 that on page S 27, the comments that have been made
8 this evening relative to the price of uranium as well
9 as clean-up and whatnot, those are addressed. And for
10 the record, the economic issues are not within the
11 scope and purpose and need for DOE's action per this
12 document. Just wanted to get that on the record.

13 But the County is definitely in support of
14 alternative number 4. Thank you.

15 MR. CAMERON: Thank you, Commissioner White.
16 Anybody else want to speak?

17 Yes, come on up.

18 AUDIENCE MEMBER: I didn't sign in to the
19 sheet.

20 MR. CAMERON: That's okay, just introduce
21 yourself.

22 GEORGE VANDERSLOOT: My name is George
23 Vandersloot. Some of you know me; a lot of you don't.
24 I'm known as an outdoor person. I'm concerned about
25 our environment. I do a lot of mountain climbing,

1 spend a lot of time in the canyons in western
2 Colorado, eastern Utah, places like that.

3 I support alternative 4 here. I think we
4 need to develop our natural resources. I've been on
5 the ground for the last couple of months in the
6 vicinity of tracts 21, 22 and 23. I don't see a
7 problem with mining uranium there.

8 I do have a background in mining and
9 environmental work, and I think alternative 4 would be
10 a good alternative.

11 MR. CAMERON: That's terrific. Thank you,
12 sir.

13 Anybody else want to talk to the Department
14 and the community tonight before we go to informal
15 questions? Okay.

16 And in a minute, I'm going to give the mic
17 back to Ray, see if he has anything to add. But I
18 just want to say that the Department and their experts
19 and anybody that has one of these name tags on are
20 going to be here to answer any questions you have
21 about what you heard tonight, about the process to
22 engage the Department or about what concerns that you
23 might have.

24 And we're doing that over here where these
25 posters are because the posters have a lot of

1 information on them, and the Department and the
2 experts might want to point to that.

3 And if you want to bring chairs over if it's
4 hard for you to stand and talk, you can do that. And
5 so I would just say, come on over there. And if you
6 have a question, just look for someone who has a name
7 tag and say, Look, I have a question about
8 alternatives for cumulative impact. And they'll get
9 the right person to talk to you about that and to
10 answer your questions.

11 And now I'm going to turn this over to our
12 hearing officer, Ray Plieness, to close out this part
13 of the meeting for us.

14 Ray?

15 MR. PLIENESS: Thank you, Chip. It is not
16 my intent to try to answer the questions, even though
17 I have a couple of really good responses to a couple
18 of the comments that came here tonight. But it's my
19 intent to take those comments back to do due diligence
20 evaluation to each one of them.

21 And what will come from that, as part of our
22 Final EIS, all the comments we get, there will be a
23 document that states what the comments were and our
24 disposition of those comments. So what we'll do is
25 discuss them shortly here. I won't put everything on

1 the record, because I want to make sure I do due
2 diligence and consideration of your comments.

3 And those will be identified and addressed,
4 specifically in the Final EIS as a response -- comment
5 response document.

6 So with that, again, personally I know you
7 took your time to come out here and comment, and it's
8 not without appreciation by the Department, because
9 our document will be better because of the comments we
10 receive tonight.

11 I did see a hand, and if you would like to
12 speak -- or if you have a question for me?

13 VICKI SADOWSKI: Actually, I travel a lot
14 and I just got home and I heard about this on the
15 television news very quickly, so I rushed up here. I
16 feel like I'm not, you know, I don't have enough
17 preparation.

18 But I feel this is extremely, extremely
19 important. I was going to ask where the next meeting
20 is so that, you know, I can prepare and know my
21 schedule. And how do you find out about these
22 meetings? And I would like to make a comment. I'll
23 say something.

24 I just don't feel like I had time to really
25 think about this. But I would like to say I was born

1 in Ouray, Colorado, and raised here on a ranch. And I
2 have family and friends and know people all over
3 Colorado, Utah, New Mexico, and Arizona. And the four
4 corners are just absolutely incredible.

5 One of the things, being raised the way I
6 was, we had consideration for all of our neighbors,
7 and anything that we ever did, we came together with
8 our neighbors before we made a decision. Because
9 everything we did in our area affected all others.
10 We're connected. Life is connected. It's so
11 important. This is an issue that's extremely
12 important, so I wanted to begin with that, that we
13 need to really think of the highest good for all life.

14 Each of us have our feelings and our
15 understanding, and my heart goes to everyone, because
16 everyone cares. The economics -- all of it is
17 important.

18 But I think the greater thing is to put
19 certain things into priority; economics, yes, we need
20 that. But at what cost? So we really have to look at
21 all of the levels in the areas of what we're working
22 at. And we do, you know, to work with things to
23 balance it out so that it works for a win/win
24 situation for all, I think is very important.

25 Educating the public, I feel a lot of people

1 I've spoken to, they look at information up here --
2 and I thank you for having this time where we can
3 educate ourselves, ask questions, look at what we're
4 dealing with. But many people in the public feel like
5 they really even don't understand after they come and
6 look at something like this.

7 So I wish there was a little more research
8 and education that can be done for the public so they
9 have a greater way of looking at these and the new
10 compliances, all these compliances.

11 Right now what I'm looking at is there's an
12 old age moving out and a new age moving in, meaning
13 incredible technology, biology, astrophysics; we have
14 a whole new science. Incredible things are happening.

15 So as an old age, you might say is moving
16 out and new age coming in, we're the balancers. We're
17 a part of the old age, the new age, and everything in
18 between. So every one of us has a deep responsibility
19 for this world. It's a living organism.

20 Life is important for water, animals, each
21 other. So life -- I hope to be speaking for life.
22 The one thing that I've seen -- there are three major
23 things: Competition, acquisition, and consumption is a
24 downfall, it's not win/win, it's not for everyone. We
25 need competition, we need certain things, but

1 everything within a balance.

2 So speaking for humanity, for life, for the
3 new children that are raised in this world, we need to
4 really consider what we're doing.

5 We need to research and not just talk about
6 money but do deep research into what we're about to
7 do. Life is very -- it needs a lot of nurturing. When
8 we go into taking from life, you need to make sure
9 we're giving back to life. So thank you so very much.

10 MR. CAMERON: And could you just introduce
11 yourself?

12 VICKI SADOWSKI: I'm sorry, my name is Vicki
13 Sadowski.

14 MR. CAMERON: Thank you very much, Vicki.

15 MR. PLIENESS: I will have no more to say,
16 other than please take the time, look over the
17 posters, spend some time, because I can't agree more
18 with most people that want to learn. It doesn't
19 matter what side of this issue you're on, if you want
20 to talk with us and work with us, that is the greatest
21 opportunity we have to make changes in our PEIS as we
22 go forward.

23 So please take the opportunity. Thank you
24 very much for coming.

25 (No further public comment;
hearing concluded at 9:00 p.m.)

1 STATE OF COLORADO)
) ss
2 COUNTY OF MESA)

3

4

REPORTER'S CERTIFICATE

5 I, Elizabeth W. Schnittker, do hereby certify
6 that I am a Registered Professional Reporter and
7 Notary Public within the State of Colorado.

8 I further certify that these proceedings were
9 taken in shorthand by me at the time and place herein
10 set forth, that they were thereafter reduced to
11 typewritten form, and that the foregoing constitutes a
12 true and correct transcript.

13 I further certify that I am not related to,
14 employed by, nor of counsel for any of the parties or
15 attorneys herein, nor otherwise interested in the
16 result of the within action.

17 In witness whereof, I have affixed my signature
18 this 3rd day of May, 2013.

19

20

21

22 _____
Elizabeth W. Schnittker, RPR

23

24

25 My commission expires October 12, 2015.

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