

DOE ULP PEIS Public Scoping Meeting  
August 9, 2011

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IN RE:

Notice of Intent to Prepare the Draft Programmatic  
Environmental Impact Statement for the Uranium Leasing  
Program.  
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PURSUANT TO NOTICE to all parties in interest, the  
above-entitled matter came on for public hearing on  
Tuesday, August 9, 2011, commencing at 7:00 p.m., at  
110 N. Oak Street, Telluride, Colorado, before Lisa  
Persichitte Reed, Certified Realtime Reporter within  
and for the State of Colorado.

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

2 MS. DEBORAH SULLIVAN: Good evening. Welcome  
3 to this public scoping meeting for the notice of intent  
4 to prepare the draft Programmatic Environmental Impact  
5 statement for the Uranium Leasing Program. The  
6 development of a Programmatic Environmental Impact  
7 Statement, or PEIS, as I'll refer to it for the rest of  
8 the evening, for this project by the Department of  
9 Energy's Office of Legacy Management is required by the  
10 National Environmental Policy Act, better known as  
11 NEPA.

12 My name is Deborah Sullivan, and I will serve  
13 as the facilitator for this event tonight. My role is  
14 to ensure that this meeting runs on schedule, and that  
15 each and every one of you has an opportunity to speak  
16 that wishes to speak. I'm with the Department of  
17 Energy Office of Legacy Management.

18 There are two purposes for tonight's meeting.  
19 First, to provide you with an overview of the purpose,  
20 need, proposed action, and proposed alternatives being  
21 considered currently for evaluation, and how you can  
22 participate in this NEPA process.

23 Second, and most importantly, is to receive  
24 and record your formal comments on the scope for the  
25 draft PEIS. We anticipate that this will begin

1 approximately at 7:15 tonight. The agenda for  
2 tonight's meeting reflects these purposes.

3 We will begin with DOE's overview  
4 presentation by Laura Kilpatrick regarding the proposed  
5 scope of the PEIS, as indicated in the notice of  
6 intent. Laura is DOE's program manager for the Uranium  
7 Leasing Program.

8 If you would like to provide oral comments at  
9 this meeting and haven't signed up yet, please do so at  
10 the registration table downstairs in the lobby. Your  
11 comments will be transcribed by our court reporter and  
12 made part of the administrative record.

13 We'll now proceed with the DOE overview  
14 presentation. Laura.

15 MS. LAURA KILPATRICK: Thank you. Thank you  
16 very much for coming this evening to our scoping  
17 meeting. We greatly appreciate your attending.

18 I would just like to say first that I know  
19 that Stu Fraser, the mayor of Telluride, is here, and  
20 also I know that Art Goodtimes is here, right? And  
21 you're with the San Miguel County Commissioners, right?  
22 You are on the list to speak, I think, a couple down.  
23 And Art, we've offered him the opportunity to, but he  
24 says that he believes that everybody else will be  
25 speaking -- I mean, I misspoke. I'm sorry, Stu, I'm

1 looking at Stu, thank you. So Stu, he has got comments  
2 that have been sent in, and he will continue to do  
3 that.

4 So anyway, the first thing is I would like to  
5 just tell you what the overview is of this  
6 presentation, so you just know in advance. We're going  
7 to talk first about the purpose and need for DOE's  
8 action. We're going to talk about the proposed action,  
9 and I would just like to make really clear, and I'm  
10 going to try to say this a few times, we came up with  
11 five proposed actions that we sort of thought the  
12 public would come up with.

13 SPEAKER: Could we find out who you are here  
14 with?

15 MS. LAURA KILPATRICK: Oh, I'm so sorry. I'm  
16 actually -- I'm with DOE. I am running the uranium  
17 leasing program, program manager. Yeah, so I'm a Fed,  
18 and it's my program, so yeah.

19 So anyway, bottom line is, as a group, we  
20 came up with what we thought were five sort of  
21 reasonably assumable proposed actions, but what we  
22 really want from the public is other proposed actions.  
23 We really would like to look at all -- the whole, full  
24 spectrum of what people think we ought to look at.

25 Now -- so we actually, as we think about it

1 over time, we're going to come up with more and more of  
2 them as well, but in the very beginning, when we had to  
3 do the notice of intent, we just came up with the five  
4 that we thought of.

5           So I realize you have all kinds of other  
6 things you would like to say, and we're happy to hear  
7 all of them, but if while you are doing it, you could  
8 think about other proposed actions, that would be very  
9 helpful. It's really sort of the point of this meeting  
10 from our perspective. That's what we can really gain  
11 from you.

12           So then we're going to talk a little bit  
13 about the Uranium Leasing Program, the background of  
14 it, and then I'm only going to go very, very quickly  
15 through the alternatives because you all have the  
16 handouts, I think, right? Everybody should have a  
17 package. It's all kind of verbiage, but I can just  
18 tell you basically what they mean, and I don't want to  
19 insult anybody by reading the whole thing. And then  
20 we're going to talk about what the next steps are. The  
21 next steps, just so you know, they are not measured in  
22 time. They are just basically set out as one thing  
23 comes after the other. It depends on how many proposed  
24 alternatives, it depends on how many agencies has kind  
25 of been what we look at. So that's kind of what we're

1 going to go through.

2                   Now the challenge is to see if I can remember  
3 to change the pages, which I didn't do in the first  
4 place.

5                   Okay, so the first thing is in my mind,  
6 basically, why do we think that there is a need to do  
7 anything at this point in time? Well, the PEA and the  
8 FONSI, which is the Finding of No Significant Impact,  
9 which were issued by DOE in 2007, said that -- DOE  
10 determined that they wanted to go with the expanded  
11 leasing program. All that really meant was that we  
12 went from 13 leases, we added 18 leases, we did the  
13 solicitation procedures for that. And then based on  
14 which entities offered us the highest percentage, they  
15 are the companies that got the lease, okay.

16                   So then after that, what starts to happen is,  
17 obviously, depending on the price, they start looking  
18 at whether they want to do exploration or not. There is  
19 some activities which can basically be categorically  
20 excluded because if the company wants to make a 6-inch  
21 hole in a road, it's not going to affect anything.  
22 There is a little teeny bit of dust for a few minutes,  
23 that's it, but when they start talking about 30, 40  
24 holes, they start talking about doing mining, we  
25 honestly have to do much larger NEPA. And we're

1 starting to get the sense that that potentially is  
2 coming. We don't have any of those plans, but we're  
3 thinking it's coming. And when those come, you have to  
4 do at least probably an EA, depending on the size of  
5 each of those activities. And from a taxpayer's  
6 standpoint, an EA can cost 100- to 200,000, and we have  
7 31 leases, and it just doesn't make economical sense to  
8 do them one at a time, if you can get all that  
9 information.

10           So Number 1, we think we're going to get the  
11 information; Number 2 -- or hoping to get the  
12 information. Number 2, the price of the uranium at the  
13 moment is relatively low, it's like around \$52 a pound.  
14 Number 3, the Pinon Ridge Mill, which I would just like  
15 to say we have no authority over, okay, none, all  
16 right, zip.

17           But we would, in an EIS, have to reevaluate  
18 transportation based on the fact that the White Mesa  
19 Mill and the Pinon Ridge Mill could receive products,  
20 okay. So there would be a different transportation  
21 route. There would be different impacts that would  
22 have to be evaluated.

23           There are similar cumulative impacts that we  
24 potentially would be aware of now that we did not know  
25 about a few years ago. So if you look at all those



1 things together, for us, we thought this was a good  
2 time to do it, okay. So that's why we're trying to do  
3 it.

4 And the whole purpose really is to find out  
5 what the future process ought to be for the PEIS, and  
6 what the Uranium Leasing Program ought to look like,  
7 should it exist or should it not. And if it does, what  
8 does it look like, so that's kind of what we're looking  
9 at.

10 Okay. So basically, that's kind of what I  
11 just said. I mean, we have the determination, the 2007  
12 PEA to do the extended leases, we have them. Just for  
13 your information, every one the lessees is current in  
14 paying their royalties.

15 That money -- I could explain, actually, how  
16 that goes. Okay. We have 25,000 acres. Someone along  
17 the way determined it takes about \$500,000 to run the  
18 program, so we figured out based on the number of  
19 acreage in each lease what our royalty ought to be if  
20 you were going to have a total of about 500,000. It  
21 turns out, one lease, we withdrew because it was too  
22 close to the river. So we receive every year \$488,900.  
23 It goes to treasury. That's where it goes. We don't  
24 have a revolving fund. We don't get to use that money.  
25 It goes straight to treasury.

1           But anyway, bottom line is they have all paid  
2 that money, so it's been paid to treasury and they have  
3 now been told that they are in abeyance for the next  
4 year. They cannot do anything for the next year from  
5 our standpoint. Okay. So if there is any activities  
6 out there, it has to have been directed by CDPHE or  
7 somebody else, because all we have is a lease, and they  
8 are not doing anything on our behalf. Okay. Nothing --  
9 they are directing nothing to happen.

10           With the exception of one thing, I forgot,  
11 one company is going to remove tamarisk from the river,  
12 okay. And in return, we reduced their royalty by a  
13 little bit of money, but that's economically  
14 beneficial. And I believe, actually, that the company  
15 even talked to Travis Stills, and he liked the idea.  
16 That's what I was told, at least. So Travis, wherever  
17 you are --

18           UNIDENTIFIED SPEAKER: I've never heard of  
19 that until now.

20           MS. LAURA KILPATRICK: Okay. All right.  
21 Thank you. Good to know.

22           But bottom line is it's just environmentally  
23 positive and, you know, we've looked at everything.  
24 They are going to, at end of the month, go remove some  
25 tamarisk. And what that does is it -- pardon me?

1 UNIDENTIFIED SPEAKER: Which company are you  
2 speaking of?

3 MS. LAURA KILPATRICK: Which one is it?

4 UNIDENTIFIED SPEAKER: Gold Eagle Mining.

5 MS. LAURA KILPATRICK: Okay, thank you.

6 UNIDENTIFIED SPEAKER: Don Coram.

7 MS. LAURA KILPATRICK: So the bottom line is,  
8 though, that, you know, helps with the depletion of the  
9 water in the river, you know, so it's a good thing,  
10 actually. But that's the only and last thing that's  
11 happening. That's part of the royalty payment. That's  
12 it, okay.

13 So the Uranium Leasing Program background in  
14 the late '40s -- actually, BLM withdrew to the DOE  
15 approximately 700,000 acres, just for your information.  
16 And the Atomic Energy Commission and the USGS went out  
17 and looked at all that acreage and determined what they  
18 thought -- which acres they thought were the better  
19 acreage to put out for uranium and vanadium leasing,  
20 and they decided which 25,000 acres were the best, and  
21 the remainder of that acreage was returned back to BLM.  
22 So the bottom line is we have 25,000 acres.

23 We've done three sets of leases prior to this  
24 set of leases, and you can see those dates. And the  
25 purpose for having the leases has changed over time.

1 Initially, of course, it was for weapons. Now it's  
2 sort of more directed. Actually, vanadium is really  
3 important. It's used for a lot of different things.  
4 And actually, vanadium production is like six times  
5 more, I think, than the uranium; isn't that right? Six  
6 times more? Okay.

7 UNIDENTIFIED SPEAKER: There is six times  
8 more --

9 MS. LAURA KILPATRICK: Okay. So it's very  
10 important and, actually, you know, if there wasn't a  
11 uranium market, if there was a great vanadium market  
12 that's an important thing too.

13 So the (inaudible) purpose has changed over  
14 time, and the initial authority came and was  
15 established because of nuclear weapons. The leases --  
16 during all the periods that the leases actually  
17 produced and there was mining, they collectively  
18 produced 8.1 million pounds of uranium, 41.7 million  
19 pounds of vanadium, and we generated \$65 million in  
20 royalties that went to the treasury.

21 UNIDENTIFIED SPEAKER: Is that the only  
22 impact of the leases over that period of time?

23 MS. LAURA KILPATRICK: I'm sorry?

24 UNIDENTIFIED SPEAKER: You say the leasing  
25 periods collectively had these three impacts?

1 MS. LAURA KILPATRICK: Well, not so much  
2 impacts, but that's what was reduced. That is how much  
3 vanadium/uranium was reduced, and the amount of money  
4 we brought in. That part is true.

5 UNIDENTIFIED SPEAKER: How much waste was  
6 produced?

7 MS. LAURA KILPATRICK: You know, I don't have  
8 that information, but I'm certain that if you submit  
9 your questions, we can handle all those at that time,  
10 if you want to do that.

11 This is really sort of more to get  
12 information from you guys about what you think we ought  
13 to look at.

14 UNIDENTIFIED SPEAKER: That's one.

15 MS. LAURA KILPATRICK: Okay. Well, you know,  
16 that's fine. We're on the record, so, you know,  
17 whatever is fine.

18 UNIDENTIFIED SPEAKER: Is there somewhere  
19 where we can find out where it is actually going to be  
20 used for now rather than the '40s?

21 MS. LAURA KILPATRICK: You know, it's going  
22 to be all part of the process. We're going to look at  
23 all of that when we do the draft EIS. And you guys can  
24 all have a copy. It will be great reading.

25 UNIDENTIFIED SPEAKER: It would be nice to

1 know why it has to be done before we talk about doing  
2 it.

3 MS. LAURA KILPATRICK: Right. No, I  
4 understand that. And we've got a Web site, and I'll  
5 give you the address at the very end. It gives you a  
6 ton of information, so it's very helpful.

7 Okay. So currently, we have got 31 leases  
8 because, like I said -- I mean, one of them, we did not  
9 lease, because it was too close to the river. So --  
10 and they comprise 25,000 acres. Twenty-nine of the  
11 lease tracts are actively held because one of them was  
12 dropped, basically, the company that had it decided not  
13 to pay the royalties anymore, so that one is gone. And  
14 then there was the one that we didn't do in the first  
15 place.

16 And so those two that are inactive are  
17 intended to remain inactive until we figure out what  
18 we're going to do, okay. So we're not planning on  
19 doing anything with them until we have that done.

20 Now, everybody has, apparently, a bigger map  
21 in a package, and it's in color and you can see it, and  
22 I would really love it if you can look at it, because I  
23 think this is probably the most important thing.

24 First, you can see the rectangle on the map  
25 on the left is sort of in the southwestern portion of

1 Colorado, okay. But if you look at the map on the  
2 right, that map, we figured out basically, it comprises  
3 -- that rectangle on the right comprises 829,444 -- 440  
4 acres, so approximately 830,000 acres, okay. We have  
5 got 31 leases, and you can see them. They are sort of  
6 in that curve in the middle. It's kind of a little  
7 curve. It's like everybody that -- I wish you could  
8 see -- you can't see the colors, but I think they are  
9 all -- you can see all of them, if you look at the  
10 little legend, are indicated as being leased. And then  
11 whichever ones are potentially not producing, they have  
12 mines on them, those are indicated on there as well.  
13 They are not producing, but they have produced in the  
14 past.

15           But those 31 leases comprise 25,000 acres,  
16 and that is 3 percent of the acreage, okay. So that is  
17 what the Department of Energy has leases on. Three  
18 percent of the acreage in that rectangle is ours, okay,  
19 that's all. The rest of it, two-thirds of it, is  
20 public lands, that would be BLM and the Forest Service.  
21 The remaining third, aside from our 25,000 acres, is  
22 private, state, and mixed ownership, so just so you  
23 know, okay.

24           And I think if I go past 15 minutes, this  
25 goes away because it's coming from Argonne, so then

1 you'll have to just look at the papers, okay, just so  
2 you know.

3           So if you look at the proposed alternatives -  
4 - this is where, really, I don't want to insult  
5 anybody's intelligence. We can all read, and I can  
6 basically just tell you what we proposed. This is not  
7 me. We are certainly not limited to this. This is  
8 just what we thought of on our own in advance trying to  
9 think of what individuals might want, companies might  
10 want. That's it. We're really looking to get your  
11 comments. That's what today is all about.

12           So the first two alternatives are to  
13 terminate the leases for the Uranium Leasing Program.  
14 One would involve returning the lands -- actually, I  
15 should say that differently. The surfaces always  
16 belong to BLM, but the portion that was withdrawn is  
17 just the leasability of vanadium and uranium. We would  
18 return that potentially to them under one of these  
19 options. And the other option, we wouldn't necessarily  
20 do that.

21           The third option is it would go back to the  
22 original program, which is to have the 13 leases, okay.  
23 The next --

24           UNIDENTIFIED SPEAKER: What was the second?  
25 Sorry.



1 MS. LAURA KILPATRICK: The first one -- well,  
2 the first two are to terminate the program. The first  
3 one is to not relinquish them to BLM. The second one  
4 is to relinquish the leasability back to BLM. And it  
5 should be, I'm hoping, on Page 8 of your package. You  
6 should have it. And if you don't, we have extra  
7 packages.

8 UNIDENTIFIED SPEAKER: Page.

9 MS. LAURA KILPATRICK: Pardon me?

10 UNIDENTIFIED SPEAKER: Pages 4 and 5.

11 MS. LAURA KILPATRICK: So Slide Number 8,  
12 excuse me. All right. I don't have page numbers,  
13 actually, on mine.

14 So okay. So then Alternative 4 would be to  
15 continue with the expanded lease program, which was  
16 determined in the 2007 PEA and FONSI. That stands for  
17 Finding of No Significant Impact. However, the one  
18 difference between that and the fifth one is we would  
19 look at the possibility of 20, 30, or however many  
20 years for a lease term because, frankly, it costs a lot  
21 of money to do a programmatic EIS. And as taxpayers,  
22 I'm sure none of us want to do this every couple of  
23 years.

24 So if we were to continue the program, an  
25 option is to do it for longer, so that we just have

1 that period running, and the lessees and the rest of  
2 the world doesn't have to do this every couple of  
3 years.

4           The fifth one, however, is to continue the  
5 way we are now with ten-year leases, so that's -- those  
6 are the five options we've put in here. And like I  
7 said, we really -- we didn't actually receive any other  
8 alternatives last night, so I would love it if somebody  
9 has some. I would like to walk away from here this  
10 week -- we have another meeting tomorrow in Naturita.  
11 The next one is in Monticello on Thursday. I would  
12 like to go home with like 20 alternatives. I need some  
13 other alternatives.

14           So like I said, the next steps are not  
15 measured in time, with the exception of the date that  
16 the comments are due, okay. We need to get your  
17 comments. You have a lot of ways of getting comments  
18 to us, and I'll tell you what they are in a couple of  
19 minutes, so we need those by the 9th. You can,  
20 obviously, speak today. You can hand in a piece of  
21 paper to the court reporter. You can send us stuff.  
22 There are a lot of ways to do it.

23           After that, then we're going to look at all  
24 the comments and consider them, and we're going to work  
25 on developing the alternatives and start working on the

1 draft PEIS. We've hired a group of contractors from  
2 Argonne who are experts at doing things like aquatic --  
3 what is it -- not ecology, what is it called? Anyway,  
4 bottom line is they are experts in all this stuff.

5           So we hired these guys to look into that  
6 because we're a very thin organization. We don't have  
7 that kind of expertise, so we've hired them. They are  
8 going to do everything that we need to get done on  
9 this. We are going to issue a draft PEIS for public  
10 comment whenever we get it done. I can't tell you when  
11 that is because I don't know. Then there will be an  
12 opportunity for public comment. We anticipate  
13 potentially doing the same locations, potentially  
14 adding Grand Junction, because that's been suggested.

15           And then we consider all the public comments  
16 in preparing the final PEIS. We issue the final PEIS,  
17 and then we would issue the record of decision or ROD.

18           And if you would like to contact anybody, I  
19 think, actually, the notice of intent, it has my e-mail  
20 address, and I think you have a copy of it. It has my  
21 phone number, too, if you want to call me. Anyway,  
22 that's actually, in your package or you can send any  
23 kind of comments to ulpeis@anl, that stands for Argonne  
24 National Labs, dot gov, or you can get on this Web site  
25 that's listed below. And there is a ton of information

1 that will link you up to all of the information we have  
2 on our system, anything we've got going on on the draft  
3 PEIS, as we're doing it, and I think you can follow  
4 anything and everything you want to follow. So okay.  
5 Thank you very much.

6 MS. DEBORAH SULLIVAN: Thank you, Laura.  
7 Folks, now it's your time and for us to receive your  
8 comments. This is your opportunity to provide the DOE  
9 with oral comments on the scope of the ULP PEIS.

10 A court reporter will transcribe your  
11 comments for the administrative record, and tonight our  
12 reporter is Lisa Reed. DOE has stated how critical  
13 your input is to the development of the PEIS.  
14 Therefore, we designed a process to ensure all  
15 interested parties have equal opportunity to provide  
16 input.

17 In order to do this, let me review a few of  
18 the ground rules for this part of the agenda. Please  
19 step up when your name is called, step up to the  
20 microphone, introduce yourself, and provide an  
21 organizational affiliation, if it's appropriate. If  
22 you have a written version of your statement, please  
23 provide a copy to the court reporter after you have  
24 completed your remarks. Also, please give the reporter  
25 any additional attachments to your statement that you

1 wish entered into the record. Each will be labeled and  
2 submitted for inclusion in the formal record.

3 I'll call two names at a time, the first, of  
4 the speaker, and the second, of the person to follow,  
5 so we'll do that throughout the evening. In view of  
6 the number of people, and we have many tonight, who  
7 have already signed up to provide oral comments, please  
8 confine your public statement to three minutes. This  
9 is absolutely necessary in order to allow all speakers  
10 the opportunity to provide comments. I request that  
11 you honor your allotted time. I will let you know when  
12 you have a minute left.

13 Once I've gone through the list of speakers,  
14 if you have additional comments to make, we will invite  
15 you back to the podium to finish your remarks. Please  
16 let me know at the end of your allotted time if you  
17 would like to make additional comments.

18 The hearing is scheduled to end at 9:00 p.m.  
19 tonight, but we will stay as long as we need  
20 within reason to allow speakers the opportunity to  
21 provide us their input.

22 Laura will be serving as the hearing officer  
23 for the Department of Energy during the formal comment  
24 period. She will not be responding to any questions or  
25 comments during the formal session tonight.

1           Okay. So with that, and please forgive me if  
2 I butcher your name, but I'm going to try my darnedest  
3 to figure it out. Richard White, and Steven White will  
4 follow him. No Richard White or Steven White, Steven  
5 White?

6           MR. STEVE WHITE: (Nodding head.)

7           MS. DEBORAH SULLIVAN: And following Steven  
8 will be Art Goodtimes.

9           MR. STEVE WHITE: Hello, my name is Steve  
10 White. I'm the planning and development director for  
11 Montrose County, Colorado. I am here on behalf of the  
12 Montrose County Board of County Commissioners. They  
13 have asked that I read the following into the record.

14           To begin, we disagree with DOE's decision to  
15 pursue this unnecessary PEIS. It is because of our  
16 ongoing commitment to represent the interests of the  
17 citizens of Montrose County that we are present today.  
18 It is our intent to remain engaged in the process from  
19 the current scoping phase all the way through the final  
20 decision.

21           With regard to the scope of the proposed  
22 PEIS, we ask that DOE utilize alternatives and criteria  
23 which are consistent with NEPA's intent to give equal  
24 consideration to economic and environmental factors.  
25 The socioeconomic impact of the ULP leases to the

1 region and the nation should be thoroughly examined as  
2 a part of this PEIS. The economic benefits derived  
3 from ULP leases are a boon to industry in Colorado and  
4 beyond.

5           Furthermore, we ask that DOE create a scope  
6 of study which will consider the agency's mission to  
7 ensure America's security and prosperity by addressing  
8 its energy, environmental, and nuclear challenges. The  
9 ability to develop federal agency leases is critical to  
10 the success of this mission and needs to be recognized  
11 as such in this PEIS.

12           We would like to state our support for the  
13 inclusion of alternatives which allow for the  
14 continuation and expansion of the ULP. Based on the  
15 June 21st notice in the Federal Register, it appears  
16 that one of the potential alternatives, Alternative 4,  
17 would continue the ULP for an expanded number of leases  
18 in the June -- excuse me, July 2007 PEA/FONSI. We  
19 believe that an alternative which expressly  
20 contemplates the overall expansion of the ULP program  
21 should be included in the scope of this PEIS.

22           In closing, we appreciate having the  
23 opportunity to comment locally, and we look forward to  
24 continuing our involvement in the process as a  
25 cooperating agency or through other means. Thank you.

1 MS. DEBORAH SULLIVAN: Thank you, Steven. Art  
2 Goodtimes, and Richard Arnold will follow.

3 MR. ART GOODTIMES: I wanted to welcome the  
4 DOE to San Miguel County. We appreciate the federal  
5 government coming here to hold a hearing.

6 Since you are limiting our comments to three  
7 minutes, we would formally ask as a county, and what  
8 the NACo, National Association of Counties is, while  
9 restoring our partnership, that you make a formal  
10 presentation to the board and allow us more than the  
11 three minutes that you are giving to the entire  
12 community. Again, I think a local government needs to  
13 be heard when you are dealing -- the federal government  
14 is coming into an area like ours.

15 I have some comments that our staff has  
16 developed. I'm going to hold those until you come and  
17 visit us, and -- but I just would like to say  
18 personally, I wear a number of hats. I'm wearing my  
19 county commissioner, I'm chair of the Colorado Green  
20 Party. And my party is totally opposed to the uranium  
21 cycle that we are pursuing as an energy source in this  
22 country. So we just want to start out by letting you  
23 know there are many of us who feel categorically that  
24 you should not be leasing anything, that the places  
25 that you have reclaimed should, of course, not be sold



1 and leased again.

2           The reclamation in this area is hideous. The  
3 DOE has a horrible reputation. I can take you  
4 personally to any number of sites in this county and in  
5 surrounding counties that still are leaching  
6 radioactive material into the watershed in spite of  
7 UMTRA, in spite of the cleanups, in spite of what DOE  
8 has said they've done or was planning to do. So to  
9 start out and re-lease areas you've already reclaimed  
10 just, quite frankly, doesn't make any sense.

11           As chair of the National Association of  
12 County and Subcommittee for Gateway Communities, I  
13 think it's really important for the DOE to try to come  
14 and speak with some of our local governments to better  
15 understand what's happening here in our area. We  
16 appreciate you coming to have a formal hearing. My  
17 community feels very differently than the other end of  
18 the county. And I have to say there are many people  
19 where I live who are supportive of your leasing  
20 program.

21           But I want --

22           MS. DEBORAH SULLIVAN: One minute.

23           MR. ART GOODTIMES: I want you to know that  
24 it is important for you to hear that this economy here  
25 in Telluride is what drives the entire region. We have

1 an economy that is very important, not only for San  
2 Miguel County, but to many of our surrounding counties,  
3 like Montrose, which supports more of our extractive  
4 industries.

5 I think it's really important for the DOE to  
6 reconsider. I appreciate the programmatic EIS, but I  
7 really think you should reconsider your options and not  
8 lease these at all, and actually go and reclaim the 13  
9 mines you've been actively leasing.

10 And, again, with that, I would ask you  
11 formally to come and speak with us so we have a chance  
12 for oral comments.

13 MS. DEBORAH SULLIVAN: Thank you very much.  
14 Richard Arnold. Following him will be Steve McComb.

15 MR. RICHARD ARNOLD: My name is Richard  
16 Arnold. I'm a citizen of San Miguel County, and thank  
17 you very much for doing this, for coming here. I would  
18 disagree with Montrose Commissioners that this is  
19 unnecessary. I think it's very necessary.

20 I just have a few comments. My grandfather  
21 worked in the mines in Cripple Creek. He died early.  
22 He coughed a lot. My dad worked in a Number 2 mine in  
23 Trinidad. My mother said he coughed a lot. He died at  
24 53, and I didn't know him.

25 I would like to think that the techniques and

1 the ability now to mine is a lot healthier, a lot safer  
2 for those miners that are going to be mining, whether  
3 it's uranium or anywhere else.

4 My concern is that we're still living in an  
5 antiquated system of regulations when it comes to  
6 mining and water use. We don't have enough water out  
7 there to run that mill, a little dust, what the heck.  
8 In the old days, if the miners didn't like it, they  
9 told them to get lost. They righted -- they won, some  
10 didn't win.

11 So I'm hoping that you will really consider a  
12 rigorous scientific analysis of the Uranium Leasing  
13 Program. It's different. It's not like mining copper  
14 in Arizona. The Russians are already down there and  
15 the Chinese, as you well know, and they may be out here  
16 too.

17 The decade legacy of uranium development as  
18 it's been -- has left behind serious contamination. The  
19 people who started those mines aren't here. Your tax  
20 dollars and my tax dollars are going in to clean it up  
21 for our communities.

22 The other thing -- I can probably stay here  
23 for 15 minutes talking about it, but --

24 MS. DEBORAH SULLIVAN: One minute.

25 MR. RICHARD ARNOLD: -- my main concern,

1 thank you, is that I consider, and maybe this is old  
2 fashioned, but the ore that's under the ground in  
3 America is my ore. It's American ore. And it looks  
4 like it's going to be mined by Americans, maybe not.

5 Over near the Grand Canyon, it's Russians  
6 right now. It's going to be enriched. I used to say  
7 hydrated, but I was corrected by the company. The  
8 company from Canada corrected me, by the way. It's  
9 going to be enriched and then taken, transported on our  
10 roads up to Canada to be further enriched. And then  
11 what happens to it? It's going to be sold to the  
12 highest bidder. That's the American way, maybe it's  
13 the Canadian way, I don't know. Is that highest bidder  
14 going to be North Korea, Iran with my ore? Just a  
15 question. Thank you.

16 MS. DEBORAH SULLIVAN: Thank you, Richard.  
17 Steve McComb, and you'll be followed by, it looks like,  
18 Pamela Zoline. I hope that was right.

19 MR. STEVE McCOMB: Good evening, everyone. My  
20 name is Steve McComb, and I'm a local citizen here in  
21 Telluride.

22 I feel that the basic flaw with uranium  
23 mining and milling is that we are being told that the  
24 processes for environmental protection are fail-safe.  
25 If not, why would anyone in this day and age knowingly

1 allow such a toxic material to get into the ground  
2 water, the air, and on the ground? I would like to  
3 explore the realities of this logic. When has men  
4 ever, since the dawn of man, made something fail-safe?  
5 Absolutely never. The world is filled with examples of  
6 critical systems that are not fail-safe. Japan's  
7 current nuclear disaster sticks out like a sore thumb.

8           More closer to home, the Cotter Mill in Canon  
9 City where I read an article the other day that said  
10 they don't even want the inspectors to go to the pond  
11 anymore, it's too toxic. Good grief. Hundreds of  
12 millions of dollars, taxpayers' dollars, for the  
13 Colorado cleanup. Do you think that's not going to  
14 happen again?

15           I work in the space industry. You are  
16 talking about some of the brightest minds in the world,  
17 NASA. You only have to look to two of the space  
18 shuttles, Challenger and Columbia, and we lost some of  
19 the brightest people in this world, all Ph.D.'s.

20           What man does is inherently flawed. When you  
21 make flaws with uranium, folks, it doesn't go away,  
22 ever. So bottom line is, if the approval is given to  
23 allow uranium mining and milling, there will be leaking  
24 --

25           MS. DEBORAH SULLIVAN: One minute.

1 MR. STEVE McCOMB: -- there will be dust in  
2 the air that gets in our water, gets in our bodies, and  
3 never goes away.

4 So I appeal to all those who are in a  
5 position to make decisions on this matter, if this was  
6 your home and your backyard, would you approve this  
7 mining and milling knowing that it's going to leak,  
8 knowing that you are going to pollute the atmosphere,  
9 kill people, shorten lives? I don't think so. I  
10 really don't think so. I appreciate the ability to get  
11 my opinions out.

12 MS. DEBORAH SULLIVAN: Thank you. Pamela  
13 Zoline, followed by Jerry Cope.

14 MS. PAMELA ZOLINE: Thank you to the Feds for  
15 coming here today. We, who live here, think that we're  
16 incredibly fortunate because these are some of the most  
17 beautiful lands in the nation and, arguably, on the  
18 planet, also some of the most fragile.

19 By the way, I'm associated with the Telluride  
20 Institute and also the San Miguel Watershed Coalition.  
21 And indeed I've worked for a long time on the health of  
22 rivers and the health of our ecosystems and the health  
23 of our communities and the health of our economies in  
24 this region. And I think that those are the tests, in  
25 fact, that are going to have to be passed by any

1 serious environmental assessment of these proposals.  
2 And if we do examine the impact on human health, on  
3 environmental health, on economic health of these  
4 projects, and if we take, for instance, what some of  
5 the people who have come before me have mentioned  
6 which, in fact, is public record, the terrible record  
7 of mishaps and mistakes locally, regionally in the  
8 uranium industry and planet-wide, we've all watched the  
9 tragic process in Japan, then I think our equation as  
10 we try to calculate the risk says okay, this is the  
11 human factor, and indeed we are fallible.

12           Then you multiply that by the time frame,  
13 which is so unique to uranium, these lives, these half-  
14 lives, these periods of thousands of years, tens of  
15 thousands of years, hundreds of thousands of years in  
16 terms of potential toxicity make uranium a whole  
17 different ball game.

18           MS. DEBORAH SULLIVAN: One minute.

19           MS. PAMELA ZOLINE: Look at our rivers. These  
20 lands and these projects run alongside our rivers,  
21 which are the lifeblood of our region.

22           Look at the time frame. Look at the  
23 fallibility of humans, and then say to yourself, You  
24 know what, the Feds call this a legacy project, a  
25 legacy program, is that ironic? Is that ironic to call

1 it legacy when we're dealing with these impacts over  
2 time?

3           So yes, we all want a strong economy. Yes,  
4 we need to work with our neighbors to generate a strong  
5 economy in the west end, as well as up here. I think  
6 that's critical, but I don't think any of us want a  
7 legacy of toxicity and poison long beyond the  
8 management capabilities of our folks who handle it.  
9 Thanks.

10           MS. DEBORAH SULLIVAN: Thank you, Pamela.  
11 Jerry Cope, followed by John Weisheit.

12           MR. JERRY COPE: I'm Jerry Cope. I'm a  
13 resident of San Miguel County. I'm a consultant with  
14 explore.org, the (inaudible) Foundation, and I  
15 frequently work with Sierra, the NRDC, and we have two  
16 local groups that are great, Sheep Mountain Alliance  
17 and the Advocacy Coalition of Telluride.

18           I want to thank the DOE for coming here and  
19 for pursuing a PEIS on these issues. I think  
20 Alternative 2 would be my personal strong favorite, to  
21 eliminate the program altogether.

22           And the single issue I would have with that  
23 is this whole idea of reclamation is proven to be a  
24 fallacy, and it doesn't matter which extractive  
25 industry, whether it's mountaintop removal, uranium,



1 the Gulf of Mexico, the petroleum reserves. There is  
2 no reclamation once humans go in and start digging in  
3 the ground and blasting things apart. We don't have  
4 the ability to redo what we've undone, and I would  
5 encourage the DOE to eliminate these programs, give the  
6 land back to the public, and leave it the way nature  
7 built it. Thank you very much.

8 MS. DEBORAH SULLIVAN: Thank you, Jerry. John  
9 Weisheit, and Taylor McKinnon will follow John.

10 MR. JOHN WEISHEIT: My name is John Weisheit.  
11 I live in Moab, Utah. I came here to spend some time  
12 with the community here in San Miguel County and  
13 Montrose. I came to learn and to listen and to find  
14 out a little bit more about this information.

15 The organization I represent is called Living  
16 Rivers, and I also am the Colorado River Keeper, which  
17 means I'm part of the Waterkeeper Alliance. We are in  
18 six continents. There's 200 of us. And also, I'm here  
19 on behalf of Sarah Fields. She runs an organization in  
20 Moab called Uranium Watch.

21 And Living Rivers and Uranium Watch will be  
22 submitting comments on September 9th, and we hope to be  
23 a help to the community. Our Web pages will grow and  
24 build on information and suggestions. Our Web pages  
25 are livingrivers.org and uraniumwatch.org. And I have

1 a document archived Web page that's called  
2 onthecolorado.org, so I invite you all to visit those  
3 sites, and we'll hopefully provide information, maps,  
4 photos for people who are writing comments.

5           And I fully intend to attend the Monticello  
6 event in San Juan County because that's a little closer  
7 to our town, and I might submit comments at that time.  
8 I don't really have anything to tell. I just wanted to  
9 introduce myself to the community.

10           But since I am from Moab, you know, we were  
11 called the Uranium Capital of the World, and right now,  
12 we're dealing with the second largest uranium waste  
13 pile removal program in the United States, the largest  
14 being in Grants, New Mexico. But our organizations are  
15 more interested in the fuel cycle, and that means from  
16 cradle to grave.

17           MS. DEBORAH SULLIVAN: One minute.

18           MR. JOHN WEISHEIT: So right now, we are  
19 spending more money to fix our uranium problem than we  
20 actually generated as far as income, and that's how  
21 massive our cleanup site is.

22           And every week in our newspaper, there is an  
23 ad reminding uranium workers about some of the programs  
24 that they can use to improve their health and their  
25 family situations.

1           So our town is incredibly affected by uranium  
2 mining, and so our position is to leave it in the  
3 ground and not start the nuclear fuel cycle and  
4 compound the problems, both environmentally and  
5 financially. Thank you.

6           MS. DEBORAH SULLIVAN: Thank you, John.  
7 Taylor McKinnon. Taylor McKinnon, and he will be  
8 followed by Dalinda (sic) Miller.

9           MS. LINDA MILLER: Linda.

10          MS. DEBORAH SULLIVAN: Oh, just Linda. I'm  
11 sorry.

12          MR. TAYLOR MCKINNON: My name is Taylor  
13 McKinnon. I'm the public lands campaigns director at  
14 the Center for Biological Diversity. I'm based in  
15 Flagstaff, Arizona. We're one of the plaintiffs  
16 actively litigating the Programmatic Environmental  
17 Assessment from 2007 that approved the existing  
18 leasing.

19                 We will be providing written comments on this  
20 PEIS, so I'm going to keep my comments here brief. I  
21 could spend not three minutes, not 30 minutes, but  
22 probably three hours listing the places in this region,  
23 in the Four Corners, where uranium legacy pollution to  
24 this day is contaminating waterways, groundwater,  
25 springs, air people breathe, and the water that people

1 drink, and the water that a tremendous amount of life  
2 in this region depends upon.

3           When we mine uranium, we're setting in motion  
4 a slow-motion environmental disaster whose radiological  
5 and toxic effects will persist for thousands of  
6 generations. It's profoundly unwise to move forward  
7 with something like this, especially in the face of the  
8 legacy we're already dealing with in this region.

9           With that in mind, I propose an alternative  
10 to this EIS, and that would be to keep the lease tracts  
11 in place, but to prohibit any further mining, any  
12 further exploration, and to deal in a serious way with  
13 the reclamation job that needs to be done --

14           MS. DEBORAH SULLIVAN: One minute.

15           MR. TAYLOR MCKINNON: Thanks -- that needs to  
16 be done immediately to clean up the mess from the past.  
17 That should be the job before us right now, is cleaning  
18 up the mess from the past, and leaving it in the  
19 ground.

20           Lastly, because the DOE abjectly failed to do  
21 so on the PEA, I'd ask that the agency undertake its  
22 duties under Section 7 of the Endangered Species Act to  
23 ensure that any activities moving forward in this EIS  
24 are not going to jeopardize/threaten endangered  
25 species.

1           Thanks for being here. Thanks for holding  
2 the forum, and we'll provide written comment.

3           MS. DEBORAH SULLIVAN: Thank you. Linda  
4 Miller, and she will be followed by Chance Leoff.

5           MS. LINDA MILLER: Thank you. I'm Linda  
6 Miller, and I'm a citizen of San Miguel County. A  
7 thorough investigation of the proposed mining and  
8 milling operations in the Dolores and San Miguel  
9 watersheds is most welcome. The region does have a  
10 legacy of mining endeavors that's still with us today,  
11 and very visible, remnants of the past lead to a public  
12 that's skeptical and downright anti-mining.

13           Two miles east of Sawpit on Highway 145 as  
14 you drove up, there is the Newmire Vanadium Mill Site.  
15 This sits above the confluence of Big Bear Creek and  
16 the San Miguel River. Begun in 1908 and ending with  
17 the depletion of the resource in 1920, the mill  
18 recovered vanadium. This site, 15 acres of mill  
19 tailings, sat until 1998 when a sale of the site  
20 triggered the decree that it needed to be cleaned up.  
21 Cyprus Amax, the new owner, undertook the assessment in  
22 2003 that ascertained, quote, Concentrations of  
23 radioactive materials exceeding background levels that  
24 result in radioactive dose to a member of the public  
25 greater than 25 microrem per year. There were hot

1 spots on both sides of Highway 145.

2           And when you think about it, the workers who  
3 built and paved the highway into Telluride were working  
4 there, having no idea what they were working in. The  
5 cleanup was finished this year, 91 years later.

6           And so it goes, the tailings on the valley  
7 floor --

8           MS. DEBORAH SULLIVAN: One minute.

9           MS. LINDA MILLER: -- are still waiting  
10 remediation. In assessing the watersheds for the  
11 impacts of more milling and mining, first and foremost,  
12 clean up what's already there, and nothing should be  
13 taking place until that cleanup is done. Thank you.

14           MS. DEBORAH SULLIVAN: Thank you. We have  
15 Chance Aeoff (pronouncing).

16           MR. CHANCE LEOFF: Leoff.

17           MS. DEBORAH SULLIVAN: And he will be  
18 followed by Jeff Genaver.

19           MR. CHANCE LEOFF: The worst radioactive  
20 spill in U.S. history wasn't Three Mile Island. It  
21 wasn't a reactor. It was a uranium mill four hours  
22 down the road in Church Rock, New Mexico. It dumped  
23 100 millions gallons of effluent into the Rio Puerco.  
24 Eighty miles down the river in Gallup, the water was  
25 still toxic. It's still toxic. It's all toxic. And

1 right now, as we speak and as we're all meeting here, a  
2 new application to do more mining on the same site is  
3 being fought by the Navajo Nation.

4           1982, George Stigler won a Nobel Prize for  
5 economics. He posited a theory he called Regulatory  
6 Capture. Essentially what he was saying was that  
7 inevitably, regulatory agencies become corrupted by the  
8 very corporate entities that they are put in place to  
9 regulate. We've seen this over and over and over  
10 again. In 2011, it's completely unreasonable to ask  
11 any thoughtful person to trust any governmental agency.

12           The SEC said mortgage default swaps were fine  
13 -- I'm sorry, credit default swaps were fine. The  
14 Corps of Engineers said that the levies in New Orleans  
15 were bracing, and the MMS said that the Deepwater  
16 Horizon was terrific. How stupid are we? We're not  
17 talking about leases. We're talking about pulling more  
18 toxic material out of the ground that we have no  
19 ability to mitigate.

20           Right now, the owners of these leases, the  
21 owners of system of the leases that we're talking about  
22 are Canadian where the yellowcake is likely to be  
23 exported to is Asia.

24           MS. DEBORAH SULLIVAN: One minute.

25           MR. CHANCE LEOFF: What are we left with, the

1 cleanup.

2                   What are we doing here folks? Yeah, we want  
3 the jobs, but the cost is just ridiculous. Thanks.

4                   MS. DEBORAH SULLIVAN: Thank you, Chance.  
5 Jeff Genaver, and he will be followed by Phil Hayden.

6                   MR. JEFF GENAVER: My name is Jeff Genaver. I  
7 am the elected student president of Northern New Mexico  
8 College. I live in Santa Fe County, New Mexico.

9                   I'm here to speak about several areas of  
10 concern that this Uranium Leasing Program Programmatic  
11 Environmental Impact Statement must address. It must  
12 address environmental impacts on all downstream water  
13 users, including people in Utah, Arizona, and New  
14 Mexico.

15                   And by the way, I want to thank you for  
16 holding this hearing on the official United Nations  
17 International Day of the World's Indigenous People.  
18 Thank you.

19                   This PEIS must address any associated  
20 environmental and spiritual impacts on all downstream  
21 Native American Nations, including the Southern Ute  
22 Nation, Navajo Nation, the Apache Nations, and the  
23 Pueblo Nations of New Mexico whose ancestral homeland  
24 resides along the Rio Grande, from Taos Pueblo to the  
25 north, to the Sandia Pueblo (phonetic) in the south.



1           This PEIS must address any risks of  
2 environmental contamination to downstream users, not  
3 only of the San Miguel and Dolores Rivers, but also the  
4 Animas River, the San Juan River, and the Rio Grande,  
5 and impacts upon the users of these rivers for purposes  
6 such as recreation, agriculture, irrigation, and  
7 drinking water, including Albuquerque and Santa Fe.

8           This PEIS must address whether any uranium or  
9 other radioactive materials mined in these areas will  
10 be utilized at nuclear facilities in New Mexico, and  
11 any associated environmental impacts of such use.

12           I want to say that I am opposed to the use of  
13 contractors from Oregon to write this PEIS. You should  
14 instead hire a local firm from the southwest who  
15 understands the hydrology and geology and cultures of  
16 this region.

17           I want to formally request that a hearing be  
18 held in New Mexico. There's hearings in Colorado and  
19 Utah, and I see no reason why New Mexico does not have  
20 a hearing on this.

21           MS. DEBORAH SULLIVAN: One minute.

22           MR. JEFF GENAVER: Finally, I would like to  
23 conclude with a moment of silence and recognition of  
24 the world's indigenous people who have suffered  
25 genocide, contamination, and death at the hands of the

1 nuclear industry, the DOE, and also in remembrance of  
2 the people of Hiroshima and Nagasaki whose cities were  
3 atomically bombed 66 years ago this week by our United  
4 States Government.

5 (Pause in proceedings.)

6 MS. DEBORAH SULLIVAN: Thank you, Jeff. Phil  
7 Hayden, and he will be followed by David Oyster.

8 MR. PHIL HAYDEN: I'm going to donate my time  
9 to the next speaker. Thank you.

10 MS. DEBORAH SULLIVAN: I'm sorry. I didn't  
11 hear that.

12 MR. PHIL HAYDEN: I'm going to pass.

13 MS. DEBORAH SULLIVAN: Okay. Thank you. What  
14 we'll do in that case -- to which speaker?

15 MR. PHIL HAYDEN: To a future speaker.

16 MS. DEBORAH SULLIVAN: To a future speaker.  
17 What we're going to do anyway is call people up.

18 MR. DAVID OYSTER: Good evening. Thanks to  
19 the DOE for coming. Sixty-six years ago today, more  
20 than 40,000 people died in the blinding flash of a  
21 nuclear explosion over the Japanese city of Nagasaki.

22 Three days previously, more than 80,000  
23 people died in a similar blast over the city of  
24 Hiroshima.

25 In the next two to four months, a total of

1 nearly 250,000 people would die from the acute effects  
2 of these two bombings.

3           Some of the material used in the manufacture  
4 of these bombs may have come from right here in our  
5 region. The spectre of mining and milling radioactive  
6 materials has, once again, reared its ugly head as  
7 "Uranium Boy" is stirring from his quiescent state.

8           An untold number of Navajo uranium miners and  
9 their families have been sickened and/or died from  
10 radiation. The Radiation Exposure Compensation Act,  
11 RECA, offers an apology and monetary compensation to  
12 individuals who contracted certain cancers and other  
13 serious diseases following their exposure to radiation  
14 released during above-ground atmospheric nuclear  
15 weapons tests or following their occupational exposure  
16 to radiation while employed in the uranium industry  
17 during the buildup to the Cold War.

18           As of November 17, 2009, the government has  
19 given funds to 21,810 people, denied 8,789, and given  
20 out \$1,455,257,096 in reparations.

21           The black-hooded figures here present stand  
22 in silent testimony to those who have died from atomic  
23 poison power.

24           MS. DEBORAH SULLIVAN: One minute.

25           MR. DAVID OYSTER: Starting the uranium

1 industry anew, here in our region, will not stand. As  
2 citizens and stewards of our planet and its future, you  
3 must not allow the mining and milling of uranium to  
4 continue. Our very survival as a species is at stake.

5 I'm going to quickly read an excerpt from a  
6 poem:

7 "Uranium Boy is lifted from his crypt and  
8 turning around the seed-power that is life, whirling  
9 backward the growth power that exploding inside out,  
10 begins upward motion of all being.

11 "Uranium Boy is lifted from his crypt and  
12 turning light to ashes, the moon to blood, water to  
13 waste, aliveness to deathliness, hope to fear, love to  
14 hate, resiliency to rigidity, blue to grayness.

15 "Uranium Boy is lifted from his crypt and set  
16 loose face up, missing one arm. His face is placid.

17 "Uranium Boy is lifted from his crypt against  
18 his wishes -- against his wishes touched by hands that  
19 neither pray nor plant corn, hands alien to the dirt.

20 "Uranium Boy is lifted from his crypt and set  
21 loose howling, roaring, wailing, storming, with all the  
22 voices of creation at his disposal, berserk, maddened,  
23 shrieking."

24 MS. DEBORAH SULLIVAN: Thank you, David. I'm  
25 sorry, thank you, Phil. David Oyster is passing to

1 someone else. So at this point -- pardon me, oh, that  
2 was Phil Hayden that passed. This is David Oyster.  
3 Thank you for the clarification.

4 Michael Saffler, and he will be followed by  
5 Bob Saunders. I'm trying to read some people's  
6 writing. It's very difficult. Thank you.

7 MR. MICHAEL SAFFLER: Thank you for coming.  
8 I'm Michael Saffler. I live in the town of Telluride.  
9 And frankly, it's been a long time coming. I am a  
10 little concerned about and puzzled about the process  
11 and what we're trying to accomplish here tonight,  
12 though.

13 I've heard some rationalizations about  
14 extracting minerals, uranium, and even -- there was  
15 even a comment made initially about the quantity of  
16 vanadium that was available in this region.

17 We've also heard quite a bit of testimony  
18 over the course of the last couple of years from  
19 neighboring communities about jobs, but I'm not sure  
20 that I understand what it is that is being done to  
21 protect the citizens of this community and of the  
22 surrounding communities and of the downstream and  
23 downwind communities' health.

24 It doesn't seem as if our ultimate survival  
25 on this planet is being addressed. It seems as if

1 there is some motivation for short-term profits. It  
2 seems as if there is some motivation for providing some  
3 jobs.

4 But the long-term health and security of the  
5 people of this region is at stake here, and it's very  
6 important to us to try to figure out to a way to  
7 protect ourselves.

8 And I ask you all what it is that you are  
9 doing to protect us, because from what I hear, I'm not  
10 hearing anything except for the standard answers that  
11 we've received over the years about industry practices.  
12 And as you've heard in previous testimony, the industry  
13 practices are abysmal.

14 MS. DEBORAH SULLIVAN: One minute.

15 MR. MICHAEL SAFFLER: But you did ask for  
16 suggestions, so I will come up with a suggestion. And  
17 I request that you consider the entire suggestion, and  
18 that is that we post air-monitoring devices every 5  
19 miles from the location of the aggregate mining sites,  
20 and that those air-monitoring devices can be monitored  
21 live time by anyone posting that information to a  
22 central computer terminal that will be accessible to  
23 the public 24 hours a day; and if, in fact, there is  
24 contamination that reaches an unsafe level, that the  
25 entire mining process is shut down permanently. Thank

1 you.

2 MS. DEBORAH SULLIVAN: Thank you, Michael.  
3 Bob Saunders. Bob will be followed by Dana Ivers.

4 MR. BOB SAUNDERS: Good evening. My name is  
5 Bob Saunders. I'm mayor pro tem of Telluride, our  
6 beloved town.

7 A couple of days ago in the Daily Planet,  
8 August 5, 2011, there was an article which Steve  
9 mentioned earlier about the mill in Canon City owned by  
10 Cotter Corporation. The ponds which hold the  
11 contaminants which have been leaking for quite some  
12 time are now too toxic to be safely monitored by  
13 employees, yet it's still leaking, so the stuff that's  
14 going into the ground is more and more toxic.

15 About a year ago, over a year ago, April of  
16 2010, I read an article about the Schwartzwald Mine,  
17 which is in Jefferson County. It's leaking more than a  
18 thousand times the allowable amount of radiation into  
19 the groundwater, which goes into Ralston Creek, which  
20 then goes into Ralston Reservoir, which feeds Denver  
21 and Arvada.

22 As far as I can tell, nothing has happened  
23 other than Cotter Corporation, who owns this mine also,  
24 has been -- and this is a mine. This is what we're  
25 talking about right now, mining, they still haven't

1 come up with a plan that the EPA or the CDPHE has  
2 agreed will solve the problem, so the problem  
3 continues. None of the agencies seem to be able to  
4 control the uranium industry. These guys have no  
5 conscience, they have no accountability, and they are  
6 not very good citizens to the rest of us.

7 I want to give a little extra -- sort of a  
8 different slant on this. I'm a glider pilot. I fly  
9 gliders around this region. I've been out over the  
10 west end where these mines are going to be. Thermals  
11 can pull the dust up 18,000 feet. This dust could be  
12 radioactive, and when the wind blows, it blows it right  
13 here.

14 I've been through the Paradox Valley when I  
15 couldn't see across the valley because of the dust and  
16 the dust storms we get here in the spring. We're  
17 downwind from that. It all comes here.

18 MS. DEBORAH SULLIVAN: One minute.

19 MR. BOB SAUNDERS: I think we need to clean  
20 up what's already a mess before we start making more  
21 messes. There is no process to get rid of the waste  
22 we've already developed, and until we do that, we  
23 shouldn't be adding more to the pot.

24 I think the only option that's viable in the  
25 handouts that we were given was Option 2. We need to



1 advance renewable and nontoxic energy for our future,  
2 not continue to make toxic energy. I think that the  
3 \$65 million that the government collected doesn't come  
4 close to what it costs the government to clean up the  
5 mess that all these industries leave here for us to  
6 deal with in our future, our children's future, and  
7 many of their children's futures. Thank you.

8 MS. DEBORAH SULLIVAN: Thank you, Bob. Dana  
9 Ivers, and Dana will be followed by Hillary White.

10 MS. DANA IVERS: Thank you for being here.

11 I just finished this book, Yellow Dirt. It  
12 chronicles 60 years, four generations of the pain and  
13 suffering of the Navajos with radiation, contamination,  
14 Church Rock, to the Manhattan Project. The uranium  
15 came from the Navajo Nation. I highly recommend  
16 everyone read this, because this is what will be -- we  
17 and our generations will be facing what these people  
18 have had to go through for four generations. Everything  
19 from the Navajo neuropathy, where their children are  
20 born with clawed hands, to contamination that still  
21 exists on the Navajo Nation. It still exists, 60  
22 years, it still exists.

23 And my recommendation to you -- it seems like  
24 every other word I heard was economical sense,  
25 everything needed to make economical sense. I would

1 recommend that the people -- the miners and the  
2 millers, the bond that they have to put up -- according  
3 to this book, \$5 billion isn't even enough to clean up  
4 the Navajo Nation. Their bond is way low. That's my  
5 second recommendation.

6 My first is a moratorium on all mining until  
7 everything is reclaimed. And there are plenty of jobs  
8 for miners, because they have no problem working with  
9 radioactive materials, reclaiming all these sites. They  
10 should totally be cleaned up, and hopefully never, ever  
11 process uranium again, but at least clean up the sites  
12 before anything goes any further.

13 And I recommend this book to all of you. As  
14 a matter of fact, you can have this copy. Thank you.

15 MS. DEBORAH SULLIVAN: Thank you, Dana.  
16 Hillary White. Hillary will be followed by and, again,  
17 excuse me, it looks like Don Cavaleri (pronouncing) or  
18 Don Cavaleri.

19 Okay. Let somebody else look to see. If I  
20 miss you, you'll know that you are the one that I  
21 couldn't make this out, and I apologize. So the next  
22 one after Hillary will be Robert Trimble.

23 MS. HILLARY WHITE: Hi. My name is Hillary  
24 White, executive director of Sheep Mountain Alliance.  
25 We're also a litigant in the challenge that we feel

1 initiated part of this process.

2 We're very glad that you chose to come to  
3 Telluride to hold your meetings. We've definitely been  
4 left out in the past. This has been an extremely  
5 challenging issue for this entire region, as you may  
6 know. Also, thank you for initiating this PEIS. We  
7 will be submitting written comments as well.

8 We would like to state that we actually agree  
9 with Montrose County in asking for a full and complete  
10 analysis considering all agency consultations, all  
11 entities that are involved, and put equal emphasis on  
12 economic and environmental impacts. We will be  
13 submitting an economic report showing serious economic  
14 impacts in this entire region from not only this  
15 program, but from uranium development in general.

16 I guess I'm a little bit concerned that  
17 you're off to a somewhat questionable start. You  
18 stated in previous meetings that all DOE sites are  
19 reclaimed at this time. I think you've heard a lot of  
20 reports here that they are certainly not reclaimed. And  
21 here is the latest report from Don Coram's Gold Eagle  
22 Mining sites that show that there is serious  
23 groundwater, surface water contaminations, as well as  
24 erosion issues, and that's the site right on the  
25 Dolores River. I think you'll find similar information

1 on the state's Web site about Cotter sites as well.  
2 We're very concerned with both those operators being in  
3 our region and contaminating both the San Miguel and  
4 the Dolores Rivers.

5 I'd also like to agree with many suggestions  
6 that have been made here tonight on another alternative  
7 --

8 MS. DEBORAH SULLIVAN: One minute.

9 MS. HILLARY WHITE: -- suggesting that you  
10 not re-lease any of these sites, that you begin a full  
11 reclamation of all of these sites using private and  
12 federal dollars, and to address the folks on the west  
13 end and their concerns with being in desperate need for  
14 jobs. I would highly recommend that you use local  
15 contractors to do the reclamation work. Thanks again  
16 for being here.

17 MS. DEBORAH SULLIVAN: Thank you, Hillary.  
18 Robert Trimble. Robert will be followed by Leslie  
19 Crane.

20 MR. ROBERT TRIMBLE: Hello, I'm Robert  
21 Trimble. I go by Rob. I'll try to be succinct. I'm  
22 just speaking for myself as a citizen of San Miguel  
23 County.

24 I believe that the health issues involved  
25 with uranium mining and the uses of uranium products

1 alone would have us decide as a nation not to partake  
2 or participate in uranium extraction, and there are so  
3 many issues.

4           But it seems to me if the biggest national  
5 defense problem that we have is terrorism, we ought to  
6 be collecting all the uranium products that are already  
7 in existence as mined products, and collect them back  
8 and try to take them out of any kind of service. I  
9 wouldn't think that there should be more uranium  
10 produced given the potential for the security issues  
11 that we would have, specifically with terrorist-type  
12 nations or terrorist organizations, nonstate  
13 organizations. So that's Point A.

14           Point B is I don't have any real confidence,  
15 given the disdain that conservative industries express,  
16 about regulations whatsoever. And I think we can all  
17 agree that the mining industry is a conservative  
18 organization or institution. I think given the disdain  
19 they have for any governmental interference and  
20 regulatory interference would cause them to disregard a  
21 lot of the regulations, and I think they probably have  
22 demonstrated in the past that they have not fulfilled a  
23 lot of regulatory requirements --

24           MS. DEBORAH SULLIVAN: One minute.

25           MR. ROBERT TRIMBLE: -- for the safety.

1           One point being with the mill, and I know  
2 this is not -- it's more about the mines, not the mill,  
3 but their proposal is to mitigate whatever groundwater  
4 contamination should occur. By then, it's too late. An  
5 aquifer -- who knows how many thousands of years an  
6 aquifer would stay contaminated with this.

7           And so I have to register my preference for  
8 Option Number 2 of the proposals, to just take all the  
9 mining lease tracts out of service for uranium  
10 extraction. Thank you.

11           MS. DEBORAH SULLIVAN: Thank you, Rob. Leslie  
12 Crane, and we think we've identified Dan Chancellor as  
13 the next speaker.

14           MS. LESLIE CRANE: I'm Leslie Crane, and I'm  
15 a long-time citizen of Telluride in San Miguel County.  
16 And I would like to voice my strong opposition to any  
17 continued leasing, mining, and milling of uranium,  
18 radioactive elements in this region.

19           As the legacy continues, we have more than  
20 ample evidence to show that there really is no long-  
21 term economic gain. We, the public, pay for it with  
22 our health, with our air quality, our lifestyle, and I  
23 believe there is no reason to indicate that there are  
24 economic benefits.

25           Long-term consequences, and costs, as

1 previous speakers have cited, continue to significantly  
2 outweigh any short-term gains by the very few  
3 corporations and businesses, many of which are not in  
4 our area, are not in our country, don't intend to  
5 supply the materials for our country. As someone  
6 previously stated, for example, the Pinon Ridge energy  
7 fuels has stated their products will go to the highest  
8 bidder.

9           For 14 years I worked in the health field in  
10 the west end of San Miguel and Montrose Counties, and I  
11 continued to meet families who had lost members through  
12 mining. It's tragic and very frightening to me that  
13 many of them didn't remember and are now supporting  
14 this. I remember reading that one said, "Well, my  
15 husband died, but I have this nice trailer." I just --  
16 this is very sad to me. When can we say that life is  
17 more important than profit to a few? I support the  
18 second proposal. Thank you.

19           MS. DEBORAH SULLIVAN: Thank you, Leslie. Dan  
20 Chancellor, and he will be followed by Bud Crane.

21           MR. DAN CHANELLOR: Hello. My name is Dan  
22 Chancellor. I've lived in Colorado virtually all of my  
23 life, been in San Miguel County for, oh, 32 years.

24           First, I want to thank the Department of  
25 Energy for letting us speak. In the past, though, it

1 seems like these hearings are more of a sham than a  
2 reality. They listen to us speak, and then they do  
3 exactly what they planned to do in the first place,  
4 disregarding everything that we say. It's happened  
5 over and over again.

6           My father lived in a house in Grand Junction  
7 that was built on uranium tailings. He died at the age  
8 of 58 of cancer. At the time, you know, they assured  
9 people, "These uranium tailings are safe. They won't  
10 bother anybody. You can back pay (phonetic) your  
11 houses with them. It's no problem. You know, state of  
12 the art. We'll protect you. Don't worry."

13           Well, later came to find out that that really  
14 wasn't such a good idea, and this story seems to be  
15 repeated over and over again. They make these  
16 horrendous mistakes that cost people their lives, that  
17 cost the environment, and they say, "Oh, we'll never  
18 make that mistake again. Oh, that was back then. That  
19 won't happen now." I don't believe that. I think that  
20 20 years from now, they will be saying, "Oh, yeah,  
21 that's what we did in 2011, but we won't make that  
22 mistake now."

23           Anyway, they were talking about all the  
24 economic benefits. Yes, there definitely are economic  
25 benefits for the large corporations that come in here



1 and make the money for the big rich fat cats that  
2 always make the money. They get all the economic  
3 benefits.

4 And what do we get? We get to clean up the  
5 mess. We get to suffer the environmental consequences.  
6 We get the death and devastation that comes from this  
7 mining and milling. That's our share. Thank you.

8 MS. DEBORAH SULLIVAN: Thank you. Bud Crane.

9 MR. BUD CRANE: I pass.

10 MS. DEBORAH SULLIVAN: It looks like Mike  
11 Rozycki. I pass as well.

12 MS. DEBORAH SULLIVAN: Jennifer Thurston.  
13 Jennifer will be followed by Jolana Vanek.

14 MS. JENNIFER THURSTON: My name is Jennifer  
15 Thurston, and I grew up in this area and I welcome you.  
16 Thank you for coming, Department of Energy.

17 I have lots of comments, and I will be  
18 submitting some detailed personal comments to you, and  
19 just try very briefly to tell you that I have three  
20 alternatives to propose.

21 First, I want to tell you, however, that I've  
22 visited about eight of your lease tract areas in the  
23 past two weeks, and they are quite a mess. There are  
24 visible signs of water discharge that's inappropriate,  
25 erosion, all over the mesas and the roads, and there is

1 a lot to be cleaned up out there, and I hope that you  
2 address that.

3 Case in point, as was mentioned just a few  
4 minutes ago, our state representative, Don Coram, who  
5 represents the 58th House District, in his mind, the  
6 Groves (phonetic) Mine, and that inspection report was  
7 cited for air quality permit violations for having an  
8 open radon vent. They were cited for failing to follow  
9 their water discharge management plan, and I can only  
10 imagine that it actually is difficult for a bureaucrat  
11 in the state health department to write an inspection  
12 report about a mine that is owned by a very influential  
13 state lawmaker. That's one problem.

14 Sitting down at the entrance to the JD-7  
15 tract, which you administer, there is another mine  
16 which has two open radon vents about 30 feet away from  
17 the roadside and an exposed shaft area where the  
18 barrier gates are literally rusting away and full of  
19 holes. And this is off County Road DD19. It seems  
20 like an obscure road on the map, but actually, while I  
21 was there taking pictures, somebody who knew me saw my  
22 car, stopped to say hello. There are folk out there,  
23 and it does matter.

24 I would like you to consult with the State  
25 Division of Reclamation and Mining Safety about the

1 state of all of these mines in this region. And, in  
2 fact, it would be --

3 MS. DEBORAH SULLIVAN: One minute.

4 MS. JENNIFER THURSTON: -- difficult to  
5 consult with every state, local, and federal agency,  
6 including our San Miguel County commissioners who  
7 invited you here.

8 Briefly, three alternatives, since I have  
9 less than a minute left. One, investigate the real  
10 economic feasibility of renewable and alternative  
11 energy development as a way to propel the Department of  
12 Energy mission for self-reliance and energy. Two,  
13 consider reclamation before mining. All of those areas  
14 can generate jobs for locals, badly needed, before we  
15 need more mining.

16 Third, I would like you to undertake a true  
17 analysis of the uranium market and how it affects  
18 western Colorado and how all of this is being developed  
19 to support the perception of a viable uranium market.  
20 However, the price of uranium is depressed. There is  
21 no domestic demand. Take that into consideration, and  
22 please consider that the real no-action alternative  
23 rather than the one that you described going back to  
24 2007. That is not the real no-action alternative.

25 I would just like to understand the value of

1 holding our uranium in reserve for us, the people who  
2 own it, for the time when our country needs it rather  
3 than exporting it now. That has an economic value that  
4 can be calculated. Thank you.

5 MS. DEBORAH SULLIVAN: Thank you, Jennifer.  
6 Jolana Vanek, and Jolana will be followed by Edwin  
7 Schlapfer.

8 MS. JOLANA VANEK: Hi, I'm Jolana Vanek. I'm  
9 in San Miguel County almost 20 years, and it has become  
10 very dear to my heart. I would rather be here than  
11 anywhere else in the world.

12 What I have noticed for this uranium revival  
13 and proposal -- I'm a very logical person. I've had  
14 scientific training since I was a small child. I'm  
15 always somewhere in a lab under a microscope, and I  
16 tend to use the same peculiar scrutiny for all kinds of  
17 arguments. So when somebody says to me, "We have a  
18 scientific faith that this is safe," I might ponder  
19 over it for a while, "scientific faith." That's what,  
20 most of the time, we're given.

21 Like for the mill, we were hearing about --  
22 and I know we're discussing the mine here, but just as  
23 an illustration, we have a really safe pond linings  
24 because now it's three layers of plastic bag instead of  
25 two. And then we're told that they all leak. Of

1 course they leak, but they are all leakproof, which is  
2 totally amazing. My logical mind just cringes.

3           So I would like to address here that the west  
4 end -- we're being told that this is totally safe. I  
5 actually read, I think it was Telluride Foundation  
6 possibly last year, regarding some requests for funds  
7 and possible dreams and wishes. The west end really  
8 wants to have more access to cancer screening. There  
9 is not enough. We're told there is no cancer.

10           Second thing, Cotter, as it's been mentioned  
11 here, Cotter has a wonderful, they call it, open pit,  
12 but if you have seen the mountaintop removals, the  
13 strip mine by the road right before Paradox, it looks  
14 like a strip mine, and there is nobody who regulates  
15 the mine and the new mill. There are leases on BLM  
16 land. There is, what, 1,500 leases. Then you, DOE,  
17 have 31 leases we're speaking here about.

18           MS. DEBORAH SULLIVAN: One minute.

19           MS. JOLANA VANEK: Cotter has a dismal track  
20 record. And also, trusting regulations, we're always  
21 told, "You can trust. We'll do next time better." Do  
22 we realize that all the regulation brought in our city  
23 (phonetic), we -- after the Congress ordered  
24 examination of our nuclear power plants, half of them  
25 were inadequate after Fukushima, half of them had

1 inadequate, up to code, out-of-code prevention  
2 mechanisms to prevent Fukushima on our land.

3           And the last thing, the economic impact, I  
4 just read somewhere the other day that there is a  
5 proposal that perhaps the states, not the Feds anymore,  
6 could be liable for cleaning up all this mess. I would  
7 say Proposal Number 2 or a better proposal might be the  
8 best way to address this for all of us. Thank you.

9           MS. DEBORAH SULLIVAN: Thank you, Jolana.  
10 Edwin Schlapfer, and Edwin will be followed by Bob  
11 Gleason.

12           MR. EDWIN SCHLAPFER: Good evening, and thank  
13 you for having this hearing tonight.

14           I think we've heard quite a few things  
15 tonight that everyone seems to be bringing quite  
16 logical and valid issues to the table here, and I hope  
17 that the group here listening and those that will take  
18 the comments later will take those into consideration  
19 heavily. I think it's plenty of information of  
20 whatever you want to call it, ammunition, to do the  
21 right thing.

22           It is ironic that we're here today on the  
23 66th anniversary. And the reason I bring that up, once  
24 it's already been brought up, is because we forget that  
25 there is -- this is a cradle-to-grave situation. The

1 grave ends up lasting, in some cases, half-lives beyond  
2 geologic time when the sun will be red dwarfing or  
3 starting the red-dwarf process and our oceans are  
4 boiled away.

5           Why do we start entertaining -- you know,  
6 messing with that kind of stuff? If we've got the  
7 engine at the start of the train, which is these mines,  
8 and then having the milling and so on and so forth  
9 working its way down to the caboose at the very end, we  
10 have to -- when we look at our environmental impact, we  
11 have to look at those train cars further down and the  
12 caboose. We can't just simply ignore it and say it's  
13 not in our purview or somehow do some sort of mental  
14 gymnastics on that.

15           The uranium leasing Programmatic  
16 Environmental Assessment, that one dated July '07,  
17 simply is full of deficiencies and full of arbitrary  
18 assertions, and it's frustrating.

19           It starts with the term "No significant  
20 impact." It's not even a defined term, so we don't  
21 even know what a significant impact is. Is it from  
22 this tiny risk that we can measure that's in that  
23 statement --

24           MS. DEBORAH SULLIVAN: One minute.

25           MR. EDWIN SCHLAPFER: -- of people getting,

1 you know, the ten-year latent cancer death risk from  
2 passing a truck, just the ore truck, not the yellowcake  
3 truck, down on the highway? Is it the highway crash?  
4 You know, where does "significant" come in, because  
5 it's not defined. So how can we start to document if  
6 we can't even define what we're doing?

7           You know, the input, the public input, we had  
8 97 statements seriously questioning parts, were  
9 completely against the expansion of the program, and  
10 there were eight supporting it. And that's over 90  
11 percent of the public not in favorable terms of it, yet  
12 they went with the most aggressive, opening of all the  
13 lands, essentially, to leasing.

14           And we've got all sorts of circular arguments  
15 that go on that, you know, I don't have enough time  
16 here to mention it, but, you know, they say it's fine,  
17 it's all safe, but then we'll get to mine 1,320 feet  
18 from the river.

19           And we've all seen what happens every year,  
20 multiple times a year in some cases, where it just  
21 comes washing down the road, the roads are closed, we  
22 have site lines where you can't pass the trucks. You've  
23 got trucks coming every 96 seconds based on the worst-  
24 case scenario, and you've got to pass these trucks. If  
25 you've ever driven from here down to Ridgway, you can



1 see these things. So it's an issue, and I'll pass on  
2 my -- some written statements to the reporter here.  
3 Thank you.

4 MS. DEBORAH SULLIVAN: Thank you, Edwin. Bob  
5 Gleason, and Bob will be followed by David Glynn.

6 MR. BOB GLEASON: Hello, my name is Bob  
7 Gleason. I represent the Boot Doctors and Paragon  
8 Outdoor shops here in Telluride.

9 At our seasonal peak, we provide clean,  
10 healthy, and rewarding jobs to 60 members of our  
11 community. And we're part of the larger group that's  
12 the economic base for this region, which is recreation  
13 and tourism. It is the driver economically that fuels  
14 this part of the world. It's clean, it's healthy, it's  
15 desirable, it encourages people to come here to become  
16 stewards of the planet that we live on.

17 Uranium mining is completely incompatible.  
18 Tourists that are looking for coming to an area like  
19 this, they are looking for a clean, healthy environment  
20 to recreate in. Having a uranium mine parked next door  
21 to our community would be detrimental to that industry  
22 that we have right here that's developed so well and is  
23 providing the economic engine for this part of the  
24 world.

25 Part of our business is river outfitting. We

1 run the San Miguel all the way into the Dolores. We  
2 run through the lease areas that you are proposing to  
3 develop down there. We have a number of people that  
4 are hired every summer to run raft trips there. It is  
5 a major attraction for tourists that are in this  
6 region.

7           The development of mines in that area would  
8 be very detrimental to the scenic characteristics, as  
9 well as the potential health for the people that are  
10 running through that section of the river. We feel it  
11 would probably end our use of the lower end of the  
12 river because of things going down there.

13           In the 15 years I've been operating as an  
14 outfitter there, I've seen Uravan Mine actually get  
15 better and cleaner as time has gone on and has become a  
16 better environment for the recreation to take there.  
17 Opening this back up again, we'll turn that in the  
18 other direction, and we feel would be very devastating  
19 to our operations down there.

20           All of us that recreate in the mountain every  
21 winter understand that dust storms are very common and  
22 that the dust that we find on our cars and on the  
23 mountain every winter is lifted mainly from the west  
24 end --

25           MS. DEBORAH SULLIVAN: One minute.

1 MR. BOB GLEASON: -- and lays all over the  
2 ground. Having uranium mining there is just absolutely  
3 unhealthy for the rest of us in this community that we  
4 have right here.

5 So we think very much that you need to look  
6 at this from not really that group of economics that  
7 are involved there, but the larger economic base for  
8 this entire region. Thank you.

9 MS. DEBORAH SULLIVAN: Thank you. David  
10 Glynn, and David will be followed by Joan May.

11 MR. DAVID GLYNN: I'm David Glynn. There is  
12 no reason for mining if it weren't for the end product,  
13 the end product of nuclear weapons, of nuclear power  
14 plants. Either one is so toxic, so dangerous that we  
15 should not allow it on this earth.

16 If you want to look at the legacy of the  
17 leasing program, go down to the Paradox Valley, go up  
18 on to Monogram Mesa, go into Bull Canyon, look at the  
19 JD-9 Mine. It's ponds, it's settling ponds that are  
20 now dry, full of dust, blowing in the wind with ripped  
21 liners, go down to the bottom, the portal of the mine,  
22 which I believe is on your slide presentation. This  
23 mine is affectionately known to some locals as the  
24 "Hell Bitch Mine." Go there and look at the legacy  
25 that has been left behind. Go all through Bull Canyon,

1 and you'll get an understanding of what we are left  
2 with.

3           Then people consider, like the Fukushima  
4 disaster, and say, "Well, that can't happen here, not  
5 in the U.S." Well, right now, the Missouri River is  
6 flooded. Flood waters are surrounding the Fort Calhoun  
7 power plant. Down river at the Cooper Nuclear Power  
8 Station, flood waters are within 2 1/2 feet. On the  
9 other side of Iowa, on the Mississippi River in the  
10 Dubuque area, just a week ago, it rained overnight, in  
11 five hours, 20 inches of rain. The Mississippi, which  
12 is bigger and broader than the Missouri and the  
13 Nebraska/Iowa border of those nuclear power plants rose  
14 5 feet in one day.

15           MS. DEBORAH SULLIVAN: One minute.

16           MR. DAVID GLYNN: So we have to consider  
17 this, these disasters are right there waiting to  
18 happen, and we have to understand that it all starts  
19 here in the mining. There cannot be another Hiro- --  
20 or there will be, excuse me, the next Hiroshima, the  
21 next Nagasaki, the next Chernobyl, the next Fukushima  
22 starts here, starts with the mining. And the one way  
23 we can stop it is to end the program.

24           So my suggestion is to end the lease program,  
25 keep these elements, keep uranium in the ground

1 forever. Thank you.

2 MS. DEBORAH SULLIVAN: Thank you, David. Joan  
3 May, and Joan will be followed by Ashley Boling.

4 MS. JOAN MAY: Hi. Thanks for hosting this.  
5 My name is Joan May. I'm a San Miguel County  
6 Commissioner. Several thoughts -- many of my thoughts  
7 have already been covered by previous speakers, so I'll  
8 try not to repeat.

9 One thing I'm hearing, and I imagine you hear  
10 this at all these hearings, is a great deal of passion  
11 and interest and knowledge about the entire uranium  
12 industry. And it's frustrating to me, and I know  
13 others, that these hearings are very focused on the  
14 programmatic EIS. And I would hope that you would take  
15 all the comments that have to do with the entire  
16 picture and consider them in when you consider the  
17 comments, because we can't isolate out each piece of  
18 this and come to a meaningful conclusion.

19 So specifically, some of my comments, and I  
20 do believe I'm speaking on behalf of the board of  
21 commissioners here, because we are dealing with this  
22 frequently, is we have a great frustration with the  
23 lack of focus on cumulative impacts throughout the  
24 uranium industry. The Colorado Department of Public  
25 Health and Environment leases the mills. The EPA deals

1 with environmental impacts. The Department of Energy  
2 deals with specific mines, but who is looking at how  
3 all these things contribute to the well-being of our  
4 communities?

5 I would also further like to mention, and  
6 this is really more my own public -- I mean, my own  
7 private feelings, we do have a seemingly endless  
8 appetite for energy here and everywhere in the world,  
9 and we can't ignore that. And I would like to propose  
10 that all these uranium mines really don't do anything  
11 to help us reduce our energy uses or even come up with  
12 any kind of energy for this region. Really, it's just  
13 about jobs.

14 So if what we need is energy and jobs, I  
15 would like to echo what Jennifer suggested and take  
16 this opportunity to look at the Department of Energy  
17 and refocus this huge organization towards energy  
18 conservation and renewable energy. That would solve  
19 two problems. We would have our energy needs reduced  
20 and met, and we would provide jobs.

21 MS. DEBORAH SULLIVAN: One minute.

22 MS. JOAN MAY: And then I have specific  
23 comments from our Department of Public Health and  
24 Environment. These are questions throughout this  
25 process, if you go forward.

1                   How would exploration and development of the  
2 lease under the Department of Energy leasing program  
3 differ from development under the 1872 mining law and  
4 the Bureau of Land Management's purview with regard to  
5 NEPA requirements and land use policy and guidance?

6 That's a question we would like answered. I have two  
7 more.

8                   The scoping notice states that DOE would  
9 explore reasonable mitigation measures to avoid or  
10 minimize potential environmental impacts. How is this  
11 possible? It seems that environmental impacts, by  
12 their nature, are site specific and issue specific, and  
13 can only be evaluated and mitigated in this context.

14                  Finally, when DOE evaluates the incremental  
15 impacts of their action when added to other past,  
16 present, and reasonably foreseeable future actions,  
17 does this include the impacts of oil and gas leasing  
18 and development, including gothic shale on BLM and  
19 Forest Service lands and potential potash development  
20 in the area? Thank you.

21                  MS. DEBORAH SULLIVAN: Thank you, Joan.  
22 Ashley Boling, and Ashley will be followed by Kevin  
23 Croke. Is Ashley Boling not here? Okay. Kevin Croke  
24 -- you are Ashley?

25                  MR. KEVIN CROKE: No, I'm Kevin.

1 MS. DEBORAH SULLIVAN: You are Kevin, so  
2 Ashley is not here.

3 MR. KEVIN CROKE: I'm Kevin Croke.

4 MS. DEBORAH SULLIVAN: Following Kevin will  
5 be Eileen McGinley.

6 MR. KEVIN CROKE: Well, I would venture a  
7 guess that I'm the guy that owns land closest to any of  
8 what is going on here, unless somebody else comes --  
9 well, yeah, yeah, there is one. I'm like 3 miles away.

10 So anyway, what I would say to you guys is  
11 you can come up here and talk all you want, and we're  
12 preaching to the choir right here, but you need to go  
13 to these meetings on the west end and you need to give  
14 them your heartfelt opinion and why they need to pay  
15 attention to this development and why it's not healthy  
16 for them.

17 Because the people on the west end are my  
18 friends, and I know them very well, and it took me ten  
19 years to even get close enough that I could even speak  
20 with them. And now they are my really good friends,  
21 and they think that this is a great thing for them, and  
22 it's really -- you know, in my opinion it's really not,  
23 but in their opinion, it really is. So I can't have  
24 this battle with them, but you need to tell them why.

25 You know what, I have friends who their



1 brothers, their uncles, their cousins have died from  
2 uranium mining. And they are kind of in denial that  
3 that happened. They won't they'll say, "No, that has  
4 nothing to do with that, it was sun poisoning or  
5 something like that," even though they are down in the  
6 hole.

7 But the best way you can fight this is not  
8 preach to the choir right here. You need to go and  
9 take your words and your opinions and share that with  
10 them and try to make bridges there, you know.

11 And I think that the best way we can make  
12 bridges there is to try to encourage economic  
13 development out there with ecotourism, which is -- it's  
14 the most beautiful place. The whole west end is just  
15 absolutely gorgeous. And if you spend any time there,  
16 you can talk them into it. I've been working on that  
17 and talking to the ranchers going, "Man, you take  
18 somebody on a horse ride up here, they're never going  
19 to forget it."

20 MS. DEBORAH SULLIVAN: One minute.

21 MR. KEVIN CROKE: You need to do that. You  
22 make a lot more friends with sugar than you do with  
23 salt.

24 And so I would encourage you guys to go out  
25 there and talk to them, bring your opinion, and then

1 see what happens, you know, and always try to make  
2 friends with those people on the west end. That's what  
3 I've done, and it's worked really well. Thank you.

4 MS. DEBORAH SULLIVAN: Thank you, Kevin.  
5 Eileen McGinley. And Eileen will be followed by Skip  
6 Edwards.

7 MS. EILEEN MCGINLEY: Hi. My name is Eileen  
8 McGinley, and I represent the citizens of the world,  
9 except perhaps for the Montrose County Commissioners.

10 I, to begin with, feel that this little  
11 handout we were given that was also part of the slide  
12 show is really deficient, and we brought this up while  
13 the slide show was going on.

14 And the Uranium Leasing Program background  
15 section talks about these leasing periods collectively  
16 produced 8.1 million pounds of uranium, 41.7 million  
17 pounds of vanadium, and generated 65 million in  
18 royalties to the federal government.

19 Well, first of all, I would like to know from  
20 the DOE how much waste was produced producing all those  
21 things, and what are the costs for reclamation and  
22 where did all those wastes go. I think that's really  
23 part of the information that should be provided to the  
24 public.

25 And I also would like to know what is the

1 DOE's success rate in controlling the pollution from  
2 uranium mines.

3 I strongly object to giving any more leases.  
4 I would like to see the DOE, in their list of proposed  
5 alternatives, to select Number 2. And I think that  
6 Jennifer Thurston had some really good suggestions, as  
7 did a lot of other people here tonight. And I just  
8 hope that you're listening. Thank you.

9 MS. DEBORAH SULLIVAN: One minute -- oh,  
10 thank you. Thank you, Eileen. Skip Edwards. And Skip  
11 will be followed by Penelope Gleason.

12 MR. SKIP EDWARDS: Hello there. My name is  
13 Skip Edwards. I'm just speaking as a citizen, recent  
14 citizen, I guess, compared to most of you guys, seven  
15 or so years here in Telluride and San Miguel County.

16 I'm also a former BLM River Ranger for about  
17 16 years, 17 years, something like that. I've been in  
18 offices where some of these very topics have gone on  
19 with gas and oil leasing and seen the disruption that  
20 happens when oil and gas comes in and literally  
21 controls the process in the office, and then we have  
22 public scoping meetings.

23 So I have a couple questions that I need --  
24 that I would like to ask. First off is I know from  
25 talking to people in my offices in the old days, BLM,

1 the people that actually worked in BLM, the actual  
2 public servants that were beholden to us did a lot of  
3 these EIS's and wrote them up and performed these  
4 public comment periods.

5           And it seems to me, if I'm not mistaken, that  
6 anymore, that basically we have -- the people in the  
7 office are hired or have contractors doing all this  
8 work, as we probably saw a little bit of that in the  
9 beginning of this meeting, where contractors were asked  
10 the questions, wrote up everything, and the agencies  
11 just sit there and, I don't know, I used to call it  
12 serve coffee and cookies, and I'm not being  
13 disrespectful. In a way, I'm just -- I would just like  
14 to see trust come back.

15           There is a book that was written -- well,  
16 first off, I would like to -- I see a lot of different  
17 name tags, some are DOE. How many here wearing a name  
18 tag actually are employees of the federal government  
19 working for DOE? How many? One, two, okay.

20           MS. DEBORAH SULLIVAN: That's fine.

21           MR. SKIP EDWARDS: And then we have some  
22 other people here that are contractors. Who hires  
23 these contractors and who pays for these contractors?

24           MS. DEBORAH SULLIVAN: The ground rules  
25 tonight, if you recall --

1 MR. SKIP EDWARDS: Okay. Well, those are  
2 questions that I would like to have answers, who  
3 actually pays. Because we know that if a contractor is  
4 hired by a mining industry and the contractor doesn't  
5 report what the mining industry wants, then that  
6 contractor probably isn't going to get a lot of jobs.

7 So the process --

8 MS. DEBORAH SULLIVAN: One minute.

9 SPEAKER: One minute, okay. What I'd like --  
10 I guess the point I would like to leave with everybody  
11 here tonight, it goes back to that old book,  
12 "Everything You Needed to Know, You Learned in  
13 Kindergarten." And when we were in kindergarten, we  
14 learned that if you tell stories and if you don't tell  
15 the truth, people quit trusting you. And there are a  
16 couple of people that have come up in this meeting  
17 tonight talking about trust in our government, and I  
18 love government. I support government, but I don't  
19 support the lack of trust that we have in almost every  
20 branch in our government right now, and it basically is  
21 coming from the things we saw in the Gulf, what we're  
22 trying to do in the (inaudible), what you're trying to  
23 do here in this county.

24 It's time the public servants started  
25 representing the public. Truth to power. Truth, we

1 have the power. You need to start telling us the truth  
2 and start working for us, and I appreciate you being  
3 here, but you know as well as I do the decisions have  
4 been made, and it's going to take people like Tim  
5 DeChristopher standing up instructing this kind of  
6 stuff before we get government finally truthful to  
7 people.

8 MS. DEBORAH SULLIVAN: Thank you, Skip.  
9 Penelope Gleason.

10 MS. PENELOPE GLEASON: Hi. Thank you to the  
11 Department of Energy for being here, and thanks to  
12 everybody else for staying up so late. And I do echo  
13 the previous speakers that said please go interact with  
14 our friends, neighbors, and hopefully future friends in  
15 the west end. It's really essential.

16 Somewhere in the mid '80s, some friends of  
17 mine -- I was living in New Mexico, and we opened the  
18 newspaper and it said they were going to start trucking  
19 nuclear waste down the road next to our houses over our  
20 coffee, by which we sort of spit up at the moment and  
21 said, "Oh, how did this happen?"

22 So we thought we would do a little video of  
23 that. And three years later, we finished a video  
24 called The Wipp Trail, and it was our waste isolation  
25 private project in New Mexico. And in the course of

1 that time, I personally learned a lot about the nuclear  
2 industry.

3           And I'll echo that a lot of people have spent  
4 a lot of time thinking about it and I've been to the  
5 Trinity site. I touched the blue glass. Actually, I  
6 realize that probably wasn't a good idea, but I've been  
7 to visit a lot of the people who had benefited, you  
8 know, from jobs in the nuclear industry and then had  
9 felt really badly abused and used by the entities that  
10 they trusted, their own companies, the U.S. Government.

11           The other thing that I thought was really  
12 fascinating was denial. We have this thing where we  
13 say, "If you live next door, if it was your backyard,  
14 if your children were affected, you would stop it," but  
15 actually, there was a study about how people don't.  
16 They stay doing the mining or doing the industry work,  
17 that they were doing it, and actually causes their own  
18 harm and harm to their families. We don't know exactly  
19 why that is, but I think it's something to consider.

20           So my comment to the DOE has to do with your  
21 mission, someone mentioned that earlier, so I looked it  
22 up. Handy little thing here. So it says, The mission  
23 of the Energy Department is to ensure America's  
24 security and prosperity by addressing its energy,  
25 environmental, and nuclear challenges through

1 transformative science and technology solutions.

2           So I guess what I would say is a similar  
3 ditto to many people who have said looking at the  
4 actual security aspects of this mining is really  
5 essential, where is this uranium going to and --

6           MS. DEBORAH SULLIVAN: One minute.

7           MS. PENELOPE GLEASON: -- what is it being  
8 used for?

9           Prosperity has been raised several times  
10 about the aspect of prosperity. I would ask the  
11 Department of Energy, in its overall policy, think  
12 about -- or not just think about, but actually analyze  
13 and apply the other costs of this industry to its  
14 analysis of the economic effects. And also to -- I  
15 would say my personal choice of your list of choices  
16 right now is Number 1. I would like to loop back to  
17 that question about how would the management of this by  
18 the BLM be any different or how would -- how would it  
19 be managed. I had trouble between 1 and 2, because I  
20 didn't really understand, especially knowing some of  
21 the aspects of how the BLM has managed some other  
22 resources, whether that would be better or worse or  
23 neutral.

24           But in any case, I do think that we should  
25 stop the leases, period, and we should -- the



1 Department of Energy -- one time I was at Los Alamos  
2 Labs, and a Department of Energy truck came up. It was  
3 an armored kind of vehicle that said Department of  
4 Energy and it was for a lecture series that was  
5 dedicated to the memory of Robert Oppenheimer. The man  
6 stepped out and it was Krishnamurti, and some of you  
7 may have known him. And I looked at it and I said,  
8 "Now there is some energy."

9           So I do ask that the Department of Energy  
10 consider other aspects of alternative energy, and it's  
11 much more important than pursuing this line at this  
12 time. And remember Robert Oppenheimer himself quoted  
13 the (inaudible) and said, "I have become death,  
14 destroyer of worlds. Let us not continue in that  
15 manner into our future." Thank you.

16           MS. DEBORAH SULLIVAN: Thank you, Pam.

17           All right. Folks, this concludes the session  
18 of the hearing on the scope of the programmatic EIS for  
19 the Uranium Leasing Program.

20           Also, please note that you may continue to  
21 submit your comments on the scope of the PEIS until the  
22 scoping period closes on September 9, 2011. Check your  
23 handouts for the specific information regarding how and  
24 where to submit your comments.

25           We will recess now, but remain available

1 should you want to submit your comments to the court  
2 reporter. Lisa is here, and if you did not make an  
3 oral statement or if you have a written statement you  
4 would like to submit, please feel free. Thank you.  
5 Have a safe journey and good night.

6 (Recess taken from 8:52 p.m. to 8:53  
7 p.m.)

8 (The following statement was made after  
9 the conclusion of the public comments.)

10 MR. EDWIN SCHLAPFER: It's Edwin Schlapfer,  
11 S-c-h-l-a-p-f-e-r. I would like to see Option Number  
12 1, a hybrid of it, with further exploration, but first,  
13 doing a total cleanup of the area to a higher standard  
14 than what has currently been acceptable. Thank you.

15 (The proceedings concluded at 8:53  
16 p.m., August 9, 2011.)

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1 C E R T I F I C A T E

2 STATE OF COLORADO ) )ss.  
3 COUNTY OF )

4 I, Lisa Persichitte Reed, do hereby certify that I  
5 am a Certified Realtime Reporter and Notary Public  
6 within the State of Colorado. I further certify that  
7 these proceedings were taken in shorthand by me at the  
8 time and place herein set forth, that it was thereafter  
9 reduced to typewritten form, and that the foregoing  
10 constitutes a true and correct transcript to the best  
11 of my ability. I further certify that I am not related  
12 to, employed by, nor of counsel for any of the parties  
13 or attorneys herein, nor otherwise interested in the  
14 result of the within action. In witness whereof, I have  
15 affixed my signature and seal this 22nd day of August,  
16 2011.

17

18 \_\_\_\_\_  
19 Lisa Persichitte Reed  
20 Certified Realtime Reporter

21 My commission expires April 12, 2012.

22

23

24

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