



M0370026
INCOMING
TASK: 9335
Energy Fuels Resources (USA) Inc.
225 Union Blvd. Suite 600
Lakewood, CO, US, 80228
303 974 2140
www.energyfuels.com

cc: John, April,
Wayne

July 16, 2019

Paul Baker
State of Utah, Department of Natural Resources
Department of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RECEIVED

JUL 18 2019

DIV OF OIL, GAS & MINING

Re: Response to Fourth Review of Notice of Intention (NOI) to Commence Large Mining Operations for the La Sal/Snowball/Pandora Mine (M/037/0026), located in San Juan County, UT

Mr. Baker:

Pursuant to the Division of Oil, Gas and Mining ("DOGM") letter dated October 3, 2012, Energy Fuels Resources (USA) Inc. ("EFRI") was requested to address comments to a Fourth Review of the NOI. EFRI had submitted a request on November 28, 2012 to extend the response period. It was later discussed with DOGM staff and agreed upon that further response or review of the amended NOI would be postponed until the Bureau of Land Management ("BLM") and United States Forest Service ("USFS") finalized their respective Environmental Assessments ("EAs") and approved the Plan of Operations Amendment ("POA") for the La Sal Mine Complex. The BLM and USFS approved the POA on February 23, 2018.

EFRI is herein submitting responses and any resulting page changes pertaining to the Fourth Review comments. In addition, subsequent to the BLM/USFS approvals, it is necessary to update the NOI with various figures, text, etc. to provide consistency between the POA and NOI. Form MR-REV is enclosed listing various items that have been updated. Furthermore, during preparation of these responses and updates to the NOI, two items were identified that are worth noting to ensure memorialization. As per discussion with DOGM, these items include:

- New seed mixes that were discussed and accepted by DOGM in December 2013; and
- Two vent holes that were approved for installation at Pandora in January 2008. The approved NOI documents pertaining to that amendment are being incorporated into Attachment A of this NOI.

Please contact me at sbakken@energyfuels.com or (303)389-4132 if you have any questions or need additional information.

Sincerely,

ENERGY FUELS RESOURCES (USA) INC.
Scott Bakken
Sr. Director, Regulatory Affairs

Att Round 4 Responses, Form MR-REV, Notice of Intention Document

cc: William P. Goranson, Race Fisher, Kathy Weinel

Round 4 Responses

Round 4 Responses

Comment #	Sheet/Page Map/Table	Comments	Review Action
1	Page 34,35, 38, and page 40	<p>The plan has a discrepancy on how topsoil will be placed on the waste rock slopes. On page 34 it states that the topsoil will be placed at a minimum depth of six inches and ripped to 12 inches. On page 35 it states that the slopes will be ripped and the topsoil loosely placed on the ripped surface. Since radiation is considered an issue, it is essential that the topsoil not be ripped after it is placed. It would be acceptable to rip the waste then loosely apply soil, but it is the operator's responsibility to achieve the standards in the reclamation practices.</p> <p>For consistency the statements on the pages referencing reclamation treatments have been revised to describe a similar sequence including ripping/re-grading, topsoil application, disking and seeding. As described in Section 110.5.b. Seed Bed Preparation a roughened surface provides better potential for seed germination.</p>	Pages 11, 24, 28, 32, 34, 35, 37

Comment #	Sheet/Page Map/Table	Comments	Review Action
2	Page 35	<p>The plan calls for development waste to be used for backfilling shafts and a concrete cap placed on top. Please provide the actual design for this reclamation scenario giving settlement expectations and the cap design to prevent against any failure.</p> <p><u>Section V of the NOI contains a detailed description of abandonment of shafts and was revised to account for settling as well as additional details of cap design and placement.</u></p>	Page 24 was revised to include the text.
3	Page 36	<p>The plan gives radiation guidelines for reclamation of a standard equal to a dose of 100 millirem (mrem) above background level. Please provide a timeframe for this dose. The Division does not have any established guidelines, but every attempt should be made to provide a cover over the waste piles to prevent radiation exposure.</p> <p>The following has been added to the NOI and includes an annual time frame for the 100 mrem dose: No federal or state radiological standards exist for reclamation of the DRAs at uranium mine sites. The Nuclear Regulatory Commission (NRC) has specifically excluded natural ores from regulation under the Atomic Energy Act</p>	Page 31 was updated to include the new text

	<p>(Section 6.2 of the Atomic Energy Act (42 U.S.C. 2092), and as set forth in 10 CFR 40.13(b)). However, despite a lack of federal or state standards, disturbed areas at the La Sal Mine Complex shall be reclaimed such that the overall potential dose to a member of the public will be:</p> <ul style="list-style-type: none"> • Less than 100 millirem per year (mrem/yr) above background, or; • On Federal lands, less than 15 mrem/yr above background, assuming a member of the public is camping on or near reclaimed areas for 14 days. This standard falls within the radiation protection concept of ALARA (As Low As is Reasonably Achievable). The 15 mrem standard is supported technically by public dose protection criteria set forth by the U.S. Nuclear Regulatory Commission for decommissioned uranium milling facilities, and public dose protection guidelines recommended by EPA for sites that are reclaimed under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). 	
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Comment #	Sheet/Page Map/Table	Comments	Review Action
4	Attachment Q	<p>The operator has provided a detailed cost estimate for the Pandora mine but has not incorporated the detailed bonds from Snowball, Beaver Shaft, or the La Sal properties. Since this plan is considered a combining of these permits, the bonds for Snowball, Lasal, and Beaver Shaft mine areas need to be updated with new cost estimates and the total bond for all properties held as one bond.</p> <p>New cost estimates were approved for the Pandora and La Sal properties February 21, 2017 and December 5, 2016 respectively. As per the approval letters from the Division the estimates are due again in 2021. During the 2021 evaluation the Reclamation Cost Estimates will be combined under one property. A commitment to that affect has been included on page 41.</p>	Page 40 and 41 have been revised

JUL 18 2019

Application for Mineral Mine Plan Revision or Amendment

Operator: Energy Fuels Resources (USA), Inc.	
Mine Name: La Sal Mine Complex	File Number: M/037 /0026

Provide a detailed listing of all changes to the mining and reclamation plan that will be required as a result of this change. Individually list all maps and drawings that are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise or amend the existing Mining and Reclamation Plan. **Include page, section and drawing numbers as part of the description.**

DETAILED SCHEDULE OF CHANGES TO THE MINING AND RECLAMATION PLAN			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Figures 3, 12, 17
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pandora Vent Amendment (1/2008) to Attachment A
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	Remove Utah Division of Air Quality Air Order in Attachment D - leave for future use
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Remove Stormwater Pollution Prevention Plan in Attachment I& add USCOE Jurisdictional Determination
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	Figure 4
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input checked="" type="checkbox"/> REMOVE	Attachment J content of SPCC -leave for future use
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	NOI Pages ii-42
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments and obligations, herein.

William P. Goranson
Print Name

[Signature] EOO
Sign Name, Position

7/16/2019
Date

Return to:

State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
Phone: (801) 538-5291 Fax: (801) 359-3940

FOR DOGM USE ONLY:
File #: M/ _____ / _____
Approved: _____
Bond Adjustment: from (\$) _____
to \$ _____

NOTICE OF INTENTION DOCUMENT