



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations



Matthew H. Mead, Governor

Todd Parfitt, Director

May 29, 2018

Mr. John Cash, V.P of Regulatory Affairs
Lost Creek ISR, LLC / Ur-Energy USA, Inc.
5880 Enterprise Dr., Ste. 200
Casper, WY 82609

**RE: Lost Creek ISR Mine Permit 788, Lost Creek East and KM Zone
Amendment Application TFN 6 3/308**

Dear Mr. Cash:

The Wyoming Department of Environmental Quality - Land Quality Division (LQD) staff has reviewed the Lost Creek East and KM Zone Amendment application received on March 5, 2018. This letter serves as notification that the WDEQ - LQD finds the above-referenced application to **be incomplete and requests additional information.** The enclosed review memorandum provides LQD's completeness review comments, which require response and/or additional information before proceeding to the Technical Review of the Amendment application. Please see the enclosed memorandum and submit to LQD Lander originals and one copy of requested information, as well as an **Index to Change** sheet to clearly identify what material is being added, deleted or replaced in the application.

If you have further questions, please contact me at jean.lawlor@wyo.gov or (307) 335-6952.

Sincerely,

Jean F. Lawlor, P.G.
Project Geologist
WDEQ-LQD Lander

**Attachment: Completeness Review of Permit PT0788 Lost Creek East and KM Zone
Amendment Application**

- ec. Nancy Williams, Supervisor WDEQ-LQD Lander
- Tammi Pusheck, WDEQ-LQD Cheyenne TFN 6 3/308 – Permit PT0788
- cc. Mr. Mark Newman, U.S. BLM Rawlins Field Office, 1300 North Third St., Rawlins, WY 82301
- Mr. John Saxton, U.S. NRC, MS T-8F5, 11545 Rockville Pike, Two White Flint North, Rockville, MD 20852.
- WDEQ-LQD Lander TFN 6 3/308 – Permit PT0788
- Lawlor Chron

Lander Field Office • 510 Meadowview Drive • Lander, WY 82520 • <http://deq.state.wy.us>

ABANDONED MINES (307) 332-5085 FAX 332-7726	AIR QUALITY (307) 332-6755 FAX 332-7726	LAND QUALITY (307) 332-3047 FAX 332-7726	SOLID & HAZARDOUS WASTE (307) 332-6924 FAX 332-7726	WATER QUALITY (307) 332-3144 FAX 332-7726
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MEMORANDUM

TO FILE: **TFN 6 3/308**, Lost Creek ISR Amendment Application

FROM: Jean Lawlor, District 2 Project Geologist

DATE: May 29, 2018

SUBJECT: **Completeness Review of Permit PT0788 Lost Creek East and KM Zone
Amendment Application**

LQD received the Mine Permit No. 788 Lost Creek East and KM Zone Amendment application on March 5, 2018. In order to simplify administration, LQD has assigned one TFN 6 3/308 to include both the proposed LC East Amendment area and the operations/mine plan revision to add the KM Mining Zone. This TFN 6 3/308 replaces earlier amendment submittals, the TFNs for which (TFNs 6 4/105 and 6 3/105) were terminated in September 2017. Because these earlier TFNs were terminated, LQD may not formally respond to LCI's Responses to Comments (March 2, 2018) regarding these now-terminated TFNs; however, LQD did consider these earlier comments and responses for this Completeness review.

General

1. Permit document Volume numbers should not be repeated and must be unique. The March 2018 amendment submitted includes a second Volume 1 (approved document "old" Volume 1 and proposed amendment document "new" Volume 1), etc. through Volume 7. If 7 is the highest volume number in the approved permit, volume numbering should continue with number 8 (not re-start at 1). Or, as LCI has done with Mine Unit Data package submittals, volumes containing material related and adding to the initial Appendix may be numbered with "Volume #b, #c, etc." For example, the new Volume 4 containing Attachment D5-5 (Geology) for the LC East Amendment might be re-numbered as Volume 2b to indicate it as an addition to the old Volume 2 also containing Appendix D-5 geology information.

New (March 2018 Amendment) Volume 1 Adjudication Files (Attachment ADJ-6)

2. As the new adjudication plates submitted in new Volume 1 show BOTH the approved permit area AND the proposed LC East Amendment area, these plates are replacements for--not attachments to--the previous standard (required information for every Permit to Mine) Appendices A - C and E maps. If the new plates showed ONLY the LC East amendment, they could be submitted as additions or attachments to the original.

3. Whether amendment materials are attachments or replacements, please update the Table of Contents - General ("Rev Nov11" in footer) currently located in old Volume 1: Adjudication Files, to list the new/replacement Adjudication information, attachments to the D Appendices, and the new/replacement Operations and Reclamation Plans.

4. Please update the Appendix A, B, and C Tables/Lists that are required to accompany the maps in these appendices **with new information from within the proposed LC East Amendment area**. The dates in footers for these tables/lists also should be updated to indicate the date revised, and the Plate references ("As shown on Plate___") need to be updated to the new Plate numbers:

- a. **Appendix A List:** add names and last known addresses of owners of record of surface and mineral rights within new proposed permit area. If the list has not changed, please update the footer revision date to indicate that this has been reviewed for potential revisions.

- b. **Appendix B List:** add names and last known addresses of owners of record of surface rights of lands within ½ mile of proposed new permit boundary. If the list has not changed, please update the footer revision date to indicate that this has been reviewed for potential revisions.
- c. **Appendix C Tables:** please refer to *Guideline No. 4, Reference Document 2*, p. 4 of 9, for additional guidance on Appendix C contents. Please add tabulation of lands within proposed new permit area by legal subdivision, section, township, range, etc. and number of acres for each entry listed. The Appendix C table first page (of 7) summary grand total (see approved Appendix C, Tabulation of Lands: currently 4253.85 acres) is the total entered in Form 1-UIC, Item 5: Total Approved Acreage to Affect; this total should increase with the new acreage encompassed by the proposed LC East Amendment area. If mining claims are used as the permit boundary—which appears to be the case in Plate AttADJ-6b—add to the table each claim or series of claims with its associated legal description and computed acreage. If there are areas within the permit boundary where “No Right to Mine” is claimed—possibly portions of Sections 11 and 14 labelled/shaded as “Other Claimants’ Mineral Claims”—this acreage must be legally described, listed separately, and subtracted from the Total Right to Mine acres.

5. Table Att ADJ-6 (in new Volume 1: ADJ – Tables) indicates that **Appendix D-12** (Draft Statement of Basis [for Aquifer Exemption]) will be submitted at a later date. Appendix D-12 must be submitted at the start of the Technical Review period. Please submit Appendix D-12 as a stand-alone volume, per *Guideline No. 4, Reference Document 7*.

6. Please submit a new **Form 1-UIC** with revisions to Approved Acreage to Affect - Item 5 (see Comment 4.c above), Mine Termination Date (possibly), and corporate officers and signatures.

7. LQD’s records do not show that a Filing Fee been submitted for this or previous amendment submittals. To calculate the filing fee, please see current *Guideline No. 4, Reference Document 2*, p. 2 of 9, which indicates that the filing fee is \$200 + \$10/ac within the amendment area, for a maximum fee \$2000. Please submit this filing fee, or a receipt for previous payment, to WDEQ – LQD.

New Volume 2:

8. **Attachment D3-1 Cultural and Paleontological Resources:** the summary page included, with an October 2017 footer, states only that “a survey” was submitted to BLM Rawlins. Please add to this summary to indicate:

- a. Was a supplemental survey conducted for the LC East Amendment area, or did the original survey include this proposed amendment area?
- b. Who conducted the survey(s) for the currently approved permit area and the LC East Amendment area?
- c. Was a copy of this survey also submitted confidentially to the Wyoming State Historic Preservation Office (SHPO)? Please provide a letter from SHPO verifying their receipt and acceptance of the Cultural Survey for the LC East Amendment Area. The letter must verify both that the submittal was received and that it was adequate in content and accepted by SHPO.
- d. Does the survey indicate the need to **exclude activity** from any portions of the proposed amendment area? If so, are these exclusion areas clearly illustrated on mine planning / layout maps submitted, and specifically which maps show these exclusion areas?

New Volume 9: Operations and Reclamation Plans

9. This volume submitted REPLACES the approved Operations and Reclamation Plans contained in old Volume 5. This replacement needs to be indicated in the Volume 1 - updated Table of Contents - General. Also, the Operations and Reclamation Plans are not considered part of and should not contain

Appendix D Environmental Baseline Data; “Appendix D” should be removed from the Operations and Reclamation Plans labels / titles / headings.

10. **Plate OP-3 - Topsoil Stripping Depths** shows where topsoil and subsoil salvage will occur, stripping depths, etc. in the approved permit area (per *Guideline No. 4*: Sect. VI.C.7 - Topsoil and Subsoil Salvage and Protection, p. 15). However, I have not found a similar map illustrating the **topsoil management plan for the proposed LC East Amendment area**. Please either indicate where the LC East Amendment topsoil management map is located, or submit such a map.

11. Per *Guideline No. 4*: Sect. VI.E.2.c (p. 20), **well development procedures** should be described. Please either indicate where well development procedures are described, or add this description to Section OP3.3 – Well Completion.

12. *Guideline No. 4*: Section VI.I – Well Maintenance, Repair and Abandonment (pp. 25 – 26) describes the contents of a general **well maintenance plan** (Sect. VI.I.1) that should be included in the Operations Plan. Excepting the MIT methods detailed in OP 3.4, I have not found a general maintenance plan. Please provide the location of this plan, or add well maintenance procedures where appropriate in the Operations Plan.

13. Reclamation schedules and detailed cost estimates need to be submitted as part of the Reclamation Plan (see *Guideline No. 4*: Sect’s VII.A (p.30), VII.B.8.b.i (p. 33), and VII.F (pp. 38-39)). Previously approved **Table RP-4: Reclamation/Restoration Bond Estimate** (Dec15), submitted February 2016, and **Table RP-5 Supplement: Construction/Production Schedule for Bond Estimate**, submitted April 2014, have not been included with this **replacement** Reclamation Plan Amendment. Recently submitted **Amendment Figures RP-1 and RP-3** provide only part of the reclamation schedule and cost information.

- a. February 2016 **Table RP-4** appears to be the same bond estimation spreadsheet used for Annual Reporting. If this is correct, please add a cross reference in the text to the most current version of this table to be found in the latest Annual Report.
- b. Please provide information, updated as appropriate, previously contained in the April 2014 **Table RP-5 Supplement**, e.g. Restoration Analytical Costs (p. 1 of 8), Groundwater Restoration and Surface Reclamation Schedule (p. 7 of 8), Estimated Pore Volumes by Header House (p. 8 of 8). If this information has been replaced by new information provided in the amendment submitted or the Annual Report Bond estimate, please indicate where it is located.

END OF MEMO