



THE STATE OF WYOMING

MIKE SULLIVAN  
GOVERNOR

*Donna Smith*  
*AFC*  
*40-8684*



RETURN ORIGINAL TO PDR, HQ.

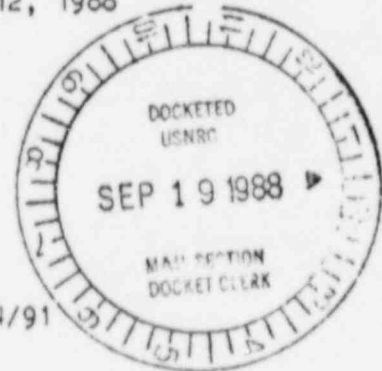
## Department of Environmental Quality

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002

Administration (307) 777-7937	Air Quality Division (307) 777-7391	Land Quality Division (307) 777-7756	Solid Waste Management Program (307) 777-7752	Water Quality Division (307) 777-7781
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September 12, 1988



Ms. Donna Wichers  
Manager  
Malapai Resources Company  
P.O. Box 9950  
Casper, WY 82609

RE: Christensen Ranch In-Situ Uranium Project, TFN 2 4/91

Dear Donna:

Enclosed are copies of your approved Commercial In-Situ Permit and License for the above referenced project. Permit No. 478-A2 has been assigned to this project. Please refer to this permit number when discussing this project in future correspondence.

Following is a list of conditions associated with the approved permit. Conditions two (2) through seven (7) are special conditions of this permit. Please indicate your acceptance of all conditions within fourteen (14) days of receipt of this letter. If you do not wish to accept these conditions, please respond within fourteen (14) days giving specific reasons why.

1. For the Wyoming UIC Program:

- a. All reports required by this permit and other requested information shall be signed by the person who signed the Final Sworn Statement or his duly authorized representative. A person is a duly authorized representative only if:

- The authorization is made in writing by the person who signed the Final Sworn Statement;
- The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
- The written authorization is submitted to the administrator.

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PDR ADDCK 0400E6B4  
C PNU

DESIGNATED ORIGINAL

Certified By Mary C. Hood

*Info only*

58-1228

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*11*

If an authorization is no longer accurate because a different individual has responsibility for the overall operation of the facility, a new authorization must be submitted to the administrator prior to or together with any reports or information to be signed by an authorized representative.

- b. In addition to the requirements of W.S. 35-11-430(b), the permittee shall retain copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the report or application.
  - c. The permittee is required to conduct operations in accordance with terms and conditions of the approved permit. The permittee is required at all times to properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve permit performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures.
  - d. The permittee shall monitor the operation in accordance with the plan approved in the permit. Results of the monitoring program shall be reported semi-annually to the administrator. Results of mechanical integrity and other periodic tests required by the administrator shall be reported with the first semi-annual report following the completion of the test.
2. The operator will inspect the shoreline of the brine evaporation ponds monthly for dead or emaciated birds. Any specimens collected will be turned over to the Game and Fish Department for analysis. Surveillance results will be reported in each annual report.
  3. RE: Wildlife Monitoring. Six raptor nests are situated within the proposed permit area and 11 additional nests occur within 2 miles (Fig. D9-7 and Table D9-26). Two sage grouse leks occur within the permit area and at least 1 additional lek is situated within 2 miles. The entire permit area is classified winter/yearlong mule deer and pronghorn range.

The applicant has not included a wildlife monitoring program in this permit application. W.S. 35-11-406(b)(xiii) requires (in part), "the procedures proposed to avoid ... endangering ...". It is not possible to comply with this statute without an ongoing monitoring program to detect operational impacts upon important wildlife species. Therefore, the applicant shall implement a monitoring program, which at a minimum shall include:

- a. Annual big game survey. One big game survey should be conducted annually under suitable snow conditions during the January/February period. The survey shall cover the disturbed area and a 1 mile peripheral zone, using either aerial or ground techniques. Locations of all animals observed shall be recorded by habitat type and legal description, and plotted in a topographical map.
- b. Annual nesting raptor surveys. All known nest locations on and within 1 mile of the disturbed area shall be inspected annually to determine status and production success. Suitable habitats should be searched to locate new or previously unrecorded nest sites.
- c. Annual sage grouse lek attendance. Each known sage grouse lek on and within 1 mile of the disturbed area shall be surveyed at least two (2) times per year (one in late March, one in early April), to determine peak attendance. All potentially suitable habitats shall be searched to locate new or previously unrecorded leks. Lek attendance should be recorded as numbers of males and females observed during each of the 2 surveys.

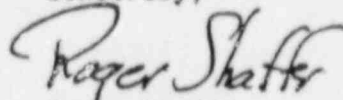
Results of the above monitoring program shall be summarized in each annual report, along with a discussion of any wildlife-related problems which may have occurred during the monitoring year (e.g. big game road kills, fence entanglements, raptor electrocutions, losses at processing ponds, etc.).

4. RE: p. D9-88 and Sec. 3.2, Mine Plan. All powerlines associated with this mine shall be constructed according to specifications outlined in:  
  
Olendorff, R.R., A.D. Miller, and R.N. Lehman. 1981. Suggested Practices for Raptor Protection on Powerlines - The State of the Art in 1981. Raptor Res. Rep. No. 4. Raptor Research Foundation, Univ. Minn. St. Paul. 111 pp.
5. No surface disturbing activities shall take place within 100' of the boundaries of archaeological sites 48CA533 and 48CA534 until a plan to mitigate adverse effects has been submitted to the regulatory authority and implemented by the operator.
6. No surface disturbing activities shall take place within those portions of the permit area which have not been inventoried for cultural resources until a Class III inventory of each area proposed for disturbance has been completed and any significant cultural resources located have been salvaged to the satisfaction of the regulatory authority.
7. Applicant must obtain surface owner consent in Section 35, T45N, R77W, SW¼NW¼, SE¼NW¼, SW¼NE¼, SE¼NE¼ prior to any disturbance.

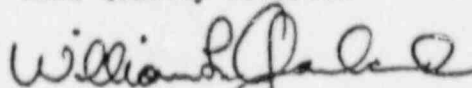
Ms. Donna Wichers  
September 12, 1988  
Page 4

If you have any questions, please do not hesitate to call. Good luck on your new venture.

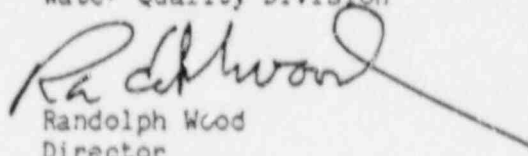
Sincerely,



Roger Shaffer  
Administrator  
Land Quality Division



William Garland  
Administrator  
Water Quality Division



Randolph Wood  
Director

RS:WG:RW:SI:k

Enclosures: Form 1 - UIC

cc: District III, w/enclosures  
Steve Ingle, w/o enclosures  
Dale Smith, NRC Denver w/enclosures  
Dick Stockdale, SEO, w/enclosures

NOTE: Do not fold this form. Use type-  
writer or print neatly with black  
ink. Submit three (3) copies, one  
of which must be an original Form  
1 as supplied by the Department  
of Environmental Quality, Land  
Quality Division.

## STATE OF WYOMING

### DEPARTMENT OF ENVIRONMENTAL QUALITY LAND QUALITY DIVISION APPLICATION FOR PERMIT TO MINE \* OR AMENDMENT TO A PERMIT TO MINE

1. (a) Name, telephone number, and mailing address of applicant: Malapai Resources Company,  
P.O. Box 9950, Casper, Wyoming 82609

(b) If the applicant is a partnership, association or corporation, the names and addresses of all managers, partners and executives directly responsible for operations in this State:

Name: Fred G. Vohne Address 2828 N. Central Ave., Suite 880  
Title: President Phone No. Phoenix, Arizona 85004 (602)266-1644

Name: Myron K. Beck Address 2828 N. Central Ave., Suite 880  
Title: Vice President Phone No. Phoenix, Arizona 85004 (602)266-1644

Name: Keith E. Dyas Address P.O. Box 9950, Casper, Wyoming 82609  
Title: Director of Wyoming Operations Phone No. (307) 235-1221

Name: Donna L. Wichers Address P.O. Box 9950, Casper, Wyoming 82609  
Title: Manager-Licensing, Safety and Environmental Services Phone No. (307) 235-1221

2. Name and mailing address of the agent or person to whom any notice under the provisions of Wyoming Environmental Quality Act or Rules and Regulations adopted thereunder may be sent:  
Donna L. Wichers - Manager-Licensing, Safety and Environmental Services  
P.O. Box 9950, Casper, Wyoming 82609

3. Attach the following information as part of the specific appendices:

(a) APPENDIX "A"

Names and addresses of surface and mineral owners of record within the proposed permit (amendment) area.

(b) APPENDIX "B"

(i) Names and last known addresses of the owners of record of the surface rights of the lands immediately adjacent to the proposed permit (amendment) area.

(ii) Names and last known addresses of any other persons within one-half (1/2) mile having a valid legal estate of record.

(iii) For surface coal mining operations, the names and last known addresses of coal ownership immediately adjacent to the proposed permit (amendment) area.

NOTE: Appendices "A" and "B" shall each be accompanied by maps showing the ownership locations required by the respective appendices. Mapping of (b)(iii) is not required.

(c) APPENDIX "C"

(i) All lands to be included in the proposed permit (amendment) area shall be tabulated by legal subdivision, section, township, range, county, and municipal corporation, if any, and the number of acres for each subdivision listed.

(ii) Lands which are to be part of the proposed permit (amendment) area, for which no right to mine is claimed shall be identified in item (i)(i) above as such and tabulated separately listing the number of acres for each legal subdivision.

(iii) Lands which are located within other permit areas shall be identified and a copy of the land use agreement with the other permittee shall be attached as part of this application.

- (iv) An original United State Geological Survey topographic map, clearly outlining and identifying the lands to be within the proposed permit areas, shall be provided. Photo copies or other similar copies are not acceptable unless prior approval is obtained from the Land Quality Division.

(d) APPENDIX "D"

- (i) For operations other than in situ, a description of the land which shall include: historic and present land use; vegetative cover; annual rainfall; general directions and average velocities of the winds; indigenous wildlife; present surface water and the immediate drainage areas; valid water rights; nature and depth of the overburden, subsoil, topsoil; including a soils map; mineral seams, or other deposits; subsurface water(s) known to exist above the deepest projected depth of the mining operation.
- (ii) For in situ operations, this appendix shall include a description of the land which shall include: soils, vegetation, wildlife, and surface hydrologic information consistent with the extent and nature of the proposed surface disturbance including descriptions of the soil indigenous wildlife, natural gamma radiation background for lands to be impacted by radioactive materials, the vegetative cover, meteorological information and a description of any surface water and adjudicated water rights within the proposed permit area or on adjacent lands; a description of the general geology including geochemistry and lithology of the permit area; a characterization of the production zone and aquifers that may be affected including applicable hydrologic and water chemistry data to describe the projected effects of the mining activities.

(e) APPENDIX "E"

A map or maps with the boundary of the proposed permit (amendment) are clearly outlined and identified showing:

- (i) The lands to be affected by the mining;
- (ii) The drainage area within and surrounding the proposed permit (amendment) area;
- (iii) The location and names, where known, of all roads, railroads, public or private rights-of-way and easements, utility lines, lakes, streams, creeks, springs, and other surface water courses, oil wells, gas wells, and water wells;
- (iv) An outline of the probable limits of all areas previously disturbed or to be disturbed by underground or subsurface mining, whether active or inactive, on or immediately adjacent to the proposed permit (amendment) area;
- (v) The names, last known addresses and boundary lines of the present surface landowners and occupants on the adjacent land to be affected;
- (vi) The location, ownership, and uses of all buildings on, or on lands adjacent to, the land to be affected;
- (vii) Information presented as part of APPENDIX "D" when necessary for clarification.

4. Mineral(s) to be mined: Uranium, Vanadium

Mining method to be used: In-situ solution mining

5. Estimated dates of commencement and termination of the proposed operation:

Start: December, 1988 Terminate: December, 2018

6. The total number of acres in the proposed ~~permit~~ (amendment) area and an estimate of the total number of acres to be affected by the operation:

Permit Acres	Estimate of Affected Acres	Surface Ownership (Amendment Area Only)
Original Permit <u>600.25</u>	Original Permit <u>191.60</u>	No. of Federal Acres <u>6174.61</u>
Approved Amendments <u>70.96</u>	Approved Amendments <u>70.96</u>	No. of State Acres <u>640.00</u>
This Application <u>14,035.19</u>	This Application <u>1701.0</u>	No. of Private Acres <u>2220.78</u>
Total Acres <u>14,706.38</u>	Total Acres <u>1963.56</u>	Total Acres <u>14,035.19</u>

7. The name, if any, by which the ~~permit~~ (amendment) land or any part thereof are known: Christensen Ranch Amendment Area

8. The nearest town, village, or city: Savageton, Wyoming

9. A filing fee of \$100.00 (\$200.00 for amendments) plus \$10.00 for each acre in the request permit (amendment) area. For any single permit (amendment) the maximum fee shall not exceed \$2,000.00.



10. Plan or plans of the applicant, including maps for the proposed mining operation and the reclamation of all affected lands as required by W.S. 35-11-406(b) and Chapter 11, Sec. 2 of the Land Quality Rules and Regulations.
11. Each application for coal mining operations shall also contain:
- (a) Additional information as required in Chapter 11 Section 3 of the Land Quality Division Rules and Regulations;
  - (b) A certification that the applicant has a public liability insurance policy in force for the proposed mining and reclamation, as required by W.S. 35-11-406(a)(xiii) and Land Quality Division Rules and Regulations Chapter XIII, Section 2;
  - (c) A listing of all notices of violations required by W.S. 35-11-406(a)(xiv).
12. The following obligations are incumbent upon the applicant upon approval of this application:
- (a) The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.
  - (b) The operator shall allow the Director, the Administrator and/or his authorized representatives, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered by this permit and amendments thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and permit.
  - (c) The following shall also apply for coal mining operations:
    - (i) The operator shall conduct his operation in a manner which prevents violation of any other applicable State or Federal law.
    - (ii) The Operator shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with his approved mining and reclamation plan and other terms and conditions of any permit or license, including monitoring to define the nature of the noncompliance and warning of any potentially dangerous condition.
    - (iii) The operator shall conduct all operations in accordance with his approved mining and reclamation plan and with any special conditions of the permit or license attached thereto.

FINAL SWORN STATEMENT

State of ARIZONA )  
 County of MARICOPA )

I, Fred C. Hohne, President being duly sworn on my oath that I am the applicant (President or Vice President if the applicant is a corporation) for the foregoing permit (amendment); that I have read the said application and fully know the contents thereof; that all statements contained in the permit (amendment) application are true and correct to my best knowledge and belief; by execution of this statement I certify that Malapai Resources Company has the right and power by the legal estate owner to mine from the land for which this permit (amendment) is desired; that Malapai Resources Company has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes; and if a surface coal mining application, that N/A has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and that N/A has not had any Federal or State Coal mining permits suspended or revoked in the five years preceding the date of this application.

Dated this 17th day of December, 1987.

Signature

Fred C. Hohne  
 Title PRESIDENT

(3241)

[Signature]  
 Notary Public or Secretary of a Corporation





This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit (amendment) grants only the right to affect the land described in Appendix "C" of the application.

Acceptance of the approved permit obligates the operator to abide by the standard conditions specified in item No. 12, of this application form.

Additional special conditions and limitations are as follows:

Conditions/Stipulations:

1. For the Wyoming VIC Program:

- a. All reports required by this permit and other requested information shall be signed by the person who signed the Final Sworn Statement or his duly authorized representative. A person is a duly authorized representative only if:
- The authorization is made in writing by the person who signed the Final Sworn Statement.
  - The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
  - The written authorization is submitted to the administrator.

If an authorization is no longer accurate because a different individual has responsibility for the overall operation of the facility, a new authorization must be submitted to the administrator prior to or together with any reports or information to be signed by an authorized representative.

b. In addition to the requirements of W.S. 35-11-430(b), the permittee shall retain copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the report or application.

c. The permittee is required to conduct operations in accordance with terms and conditions of the approved permit. The permittee is required at all times to properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve permit performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures.

d. The permittee shall monitor the operation in accordance with the plan approved in the permit. Results of the monitoring program shall be reported semi-annually to the administrator. Results of mechanical integrity and other periodic tests required by the administrator shall be reported with the first semi-annual report following the completion of the test.

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3. 22. Wildlife Monitoring. Six raptor nests are situated within the proposed permit area and 11 additional nests occur within 2 miles (Fig. D9-7 and Table D9-26). Two sage grouse lek occur within the permit area and at least 1 additional lek is situated within 2 miles. The entire permit area is classified winter/yearlong mule deer and pronghorn range.

The applicant has not included a wildlife monitoring program in this permit application. W.S. 35-11-406(h)(xiii) requires (in part), "the procedures proposed to avoid...endangering...". It is not possible to comply with this statute without an ongoing monitoring program to detect operational impacts upon important wildlife species. Therefore, the applicant shall implement a monitoring program, which at a minimum shall include:

CONDITIONS CONTINUED ON PAGE 2

Approved: Roger J. Smith

Administrator

Land Quality Division

Department of Environmental Quality

APPROVED: William J. Glendon

Administrator

Water Quality Division

Department of Environmental Quality

Approved: Rudolph W. Brown

Director

Department of Environmental Quality

RECEIVED  
LAND QUALITY  
DIVISION



a. Annual big game survey. One big game survey should be conducted annually under suitable snow conditions during the January/February period. The survey shall cover the disturbed area and a 1 mile peripheral zone, using either aerial or ground techniques. Locations of all animals observed shall be recorded by habitat type and legal description, and plotted in a topographical map.

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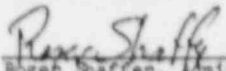
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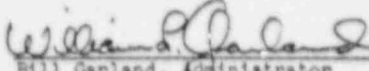
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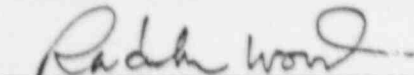
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6. No surface disturbing activities shall take place within those portions of the permit area which have not been inventoried for cultural resources until a Class III inventory of each area proposed for disturbance has been completed and any significant cultural resources located have been salvaged to the satisfaction of the regulatory authority.

7. Applicant must obtain surface owner consent in Section 35, T45N, R77W, SW1/4, SE1/4, SW1/4, SE1/4 prior to any disturbance.

  
Roger Shaffer, Administrator  
Land Quality Division  
Department of Environmental Quality

  
Bill Garland, Administrator  
Water Quality Division  
Department of Environmental Quality

  
Randolph Wood, Director  
Department of Environmental Quality