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In order to use water from a new well location, Utah Energy Corporation (UEC) must get approval from the State of Utah, Division of Water Resources.

The proponent is aware of the requirement and will comply with this and all other applicable regulations. A Condition of Approval (COA) will be attached that specifies all required approvals must be obtained.

The existing waste pile at the project site encroaches into a drainage. A stream alteration permit may be necessary to ensure the protection of the streambed during project construction.

The proponent is aware of the requirement and will comply with this and all other applicable regulations. A COA will be attached that specifies all required approvals must be obtained.

A water monitoring program should be established to determine if mining operations will interfere with or impair existing water rights in the project vicinity.

The agency will consider all necessary mitigation in the Environmental Assessment (EA) and attach them as COAs if appropriate.

Conventional uranium mines are typically small with very low environmental impact and many agencies ensure compliance with law, regulation, and policy that protects the environment.

Determination of the environmental impacts is documented in the EA. The Bureau of Land Management (BLM) ensures that no unnecessary or undue degradation occurs to public lands.

Ore transportation from the proposed project area (PPA) to the White Mesa Uranium Mill was evaluated in the 1979 Final Environmental Impact Statement (EIS) related to the initial permitting and operation of the mill.

BLM is aware of the study and will use relevant information as appropriate. If there is specific analysis cited in the EA, the National Environmental Policy Act (NEPA) allows for tiering to the supplementary NEPA document.

The White Mesa Uranium Mill currently employs approximately 150 people and is the largest non-government employer in San Juan County, Utah. The Daneros Mine would be one of several contributors to the Mill.

The BLM will analyze the socioeconomic impacts to the degree necessary in the EA.

The Plan of Operations (POO) does not provide sufficient information for a Finding of No Significant Impact (FONSI) or EA.

The POO is an exhaustive description of the proposal to commence a small mining operation. The information presented in the POO forms the majority of the description of the Proposed Action in this EA. It was not the intent of BLM to rely solely on the information provided by the proponent in the environmental analysis; further research and analysis will be completed during the NEPA process.

The POO does not provide enough safety information.

The proponent is required to provide an acceptable safety plan to the Mine Safety and Health Administration that can include training, escape, evacuation and ventilation. Additional safety concerns may be brought forward through the NEPA process and could be recommended for inclusion in analysis required for those safety plans.

Scoping was not adequately publicized.

The NEPA does not require or define public scoping for an EA. Extensive public involvement and scoping was completed as documented in the EA. Input from the public was sought through the local newspaper notices as well as the Environmental Notification Bulletin Board. If the

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determination is made to require an EIS, public scoping becomes mandated and will be more formalized at that time.

An EIS should be completed for this project.

The primary purpose of an EA is to briefly provide sufficient evidence and analysis for determining whether to prepare an EIS or a FONSI. By regulation, the analysis performed for an EA may lead to the determination that an EIS is required. (s.1508.9(a))

Overall water quantity and quality is a concern.

BLM agrees and this EA contains a section dedicated to the assessment of water quality and potential impacts to water resources from all aspects of the proposed action. Water quality and quantity are also discussed in the POO, and water resources will be legally permitted through the State of Utah. Any identified impacts will be disclosed and addressed through the NEPA process.

Air quality may be lowered by exhaust emissions from vehicles, dust from waste rock stockpile, and dust from the removal of vegetation that is associated with the construction and operation of a uranium mine.

BLM agrees and this topic is analyzed and potential impacts are described in the EA.

Dust resulting from mining operations would generate particulate matter, which could impact the air shed of Natural Bridges National Monument directly to the east of the proposed mine.

BLM agrees and this topic is analyzed and potential impacts are described in the EA.

The Hopi Cultural Preservation Office considers the archaeological sites of their ancestors to be Traditional Cultural Properties. They oppose uranium mining pursuant to the doctrine of discovery and 1872 mining law, and the BLM's application of categorical exclusions for such proposals, particularly near a National Monument.

BLM recognizes the Hopi Tribe's opposition. However, the BLM is required by law to consider such mining. As a result, a formal EA is being prepared for the Daneros Mine in compliance with NEPA. The proposed action is not being categorically excluded. The BLM will conduct additional consultations with the Hopi in order to address any specific concerns they may have related to uranium mining in the proposed project area.

The construction and operation of a uranium mine may result in adverse impacts to prehistoric and historic archaeological artifacts, as well as traditional use areas of modern-day Native Americans. These sites need to be identified and avoided during the construction and operation of the mine.

No historic properties or TCPs were identified during cultural resource inventories conducted for the proposed project, and therefore, no historic properties will be affected. No avoidance or other mitigation measures are needed. No concerns were raised during consultations with 15 Native American Tribes/Pueblos regarding impacts to specific prehistoric archaeological resources, TCPs, sacred areas, or traditional uses.

The EA should provide information about the Spook Mine and other nearby uranium mines in relation to the Utah Mine Land Reclamation Act.

This topic is analyzed and potential impacts are described in the EA.

The levels of radium, thorium, and other radionuclides and chemical constituents in the air, soil, and water from historic operations at the mining site should be addressed before the development of the Daneros Mine.

This topic is analyzed and potential impacts are described in the EA.

A complete analysis of the impacts of the Daneros Mine Plan of Operations requires consideration

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of all past, present, and foreseeable future regional uranium mining including abandoned and un-reclaimed mines, oil and gas activities, and potential tar sand development. This analysis should also include the Department of Energy’s recent decision to expand its uranium leasing program to include 27,000 acres throughout western Colorado and the regional uranium boom.

The analysis of cumulative impacts, with appropriate spatial and temporal boundaries, is a requirement under NEPA. Cumulative impacts are identified and addressed in the Environmental Consequences section of this EA document

The EA should consider the larger regional, national, and international implications of bringing more uranium out of the ground and the associated issues related to the lack of storage/disposal facilities and the required involvement of the Nuclear Regulatory Commission.

The national and international implications of uranium mining are beyond the scope of the EA. The analysis of cumulative impacts, with appropriate spatial and temporal boundaries, is a requirement under NEPA. Cumulative impacts are identified and addressed in the Environmental Consequences section of this EA.

The construction and operation of a uranium mine may result in adverse effects on the dark night skies in the area.

Lighting at the mine location would have minimal impact on night skies because of the small nature of the operation and the mine’s location in Bullseye Canyon, which screens it from public view.

The additional human presence in the area as a result of the uranium mine, including increased mining traffic, may result in adverse impacts on cattle that graze in the area. To minimize the number of encounters between cattle and traffic, cattle guards should be installed.

BLM will consider installing a cattle guard as a COA.

The construction and operation of a uranium mine may result in adverse effects on noise levels in the surrounding area.

This topic was considered. Though blasting and truck traffic may locally increase ambient noise, the operation will not appreciably affect the sound-scape over a large area. Except for initial portal development, blasting would occur underground which would dampen noise significantly.

The construction of a uranium mine may result in the adverse impact on paleontological resources.

This topic was considered. No paleontological resources have been identified, and if any are encountered work will stop and a BLM specialist will assess the situation and take appropriate action to conserve the resource.

The Plan of Operations does not contain sufficient information on the environmental impacts of the proposed Daneros Mine to support an EA and FONSI.

The POO is the proposed action, the EA assess the impacts to the environment. The POO is an exhaustive description of the proposal to commence a small mining operation. The information presented in the POO forms the majority of the description of the Proposed Action in this EA.

The EA and Plan of Operations should contain more information regarding the method of mining and documentation that demonstrates that the method of mining is safe and the pillars left will be sufficient to ensure the integrity of the mine and the safety of the work force.

The proponent will be required to provide a detailed mining plan to the Mine Safety and Health Administration, with an exhaustive series of safety plans, including training, escape, evacuation, and ventilation. Additional safety concerns realized through the NEPA process will be recommended for inclusion in analysis required for those safety plans.

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The Plan of Operations should include an emergency response plan for fires since there will be fuel, oil, and chemicals stored on site.

The proponent will be required to provide a safety plan to the Mine Safety and Health Administration, with an exhaustive series of safety plans, including training, escape, evacuation, and ventilation. Additional safety concerns realized through the NEPA process will be recommended for inclusion in analysis required for those safety plans. Human health and safety is a topic considered in the EA.

The Plan of Operations should contain information about how radioactive and non-radioactive contaminated material will be disposed. It should be assured that this material will not enter the San Juan County and Grand County landfills.

Human health and safety is a topic considered in the EA.

There is a concern that the Bureau of Land Management failed to properly notice the scoping process for the EA on the Utah Environmental Notification Bulletin Board (ENBB) in a timely manner

NEPA does not require or define public scoping for an EA. Public involvement, however, is a requirement, as is the availability of the EA as a public document. Input from the public was sought through the local newspaper notice as well as the ENBB. If the determination is made to require an EIS, public scoping becomes mandated and will be more formalized at that time.

There is concern that there has never been any programmatic EIS for uranium mining on federal lands. Cumulative impacts from past, current, and proposed uranium mining operations in Utah and Colorado have not been identified and considered.

Past, present, and reasonably foreseeable uranium mining activity and potential cumulative impacts are described in the EA.

The proposed uranium mining operation has the potential for significant environmental impacts and should be the subject of an EIS (EIS).

The primary purpose of an EA is to briefly provide sufficient evidence and analysis for determining whether to prepare an EIS or a FONSI. By regulation, the analysis performed for an EA may lead to the determination that an EIS is required. (s.1508.9(a))

The BLM needs to make the amount and adequacy of the bond available to the public. In addition, the BLM must be sure to comply with all relevant Instruction Memoranda, and incorporate all reasonable costs into a bond for the Daneros mine.

BLM is aware of bonding requirements and will coordinate with the Utah Division of Oil and Gas and Mining in determining a bond amount and will comply with all relevant policy.

The BLM should consult the following agencies for involvement in the development of the EA:

- the Mine Safety and Health Administration (MSHA)
- Environmental Protection Agency
- Department of Energy
- Nuclear Regulatory Commission
- Native American tribes that may be impacted from this proposed mine
- the State Historic Preservation Officer (SHPO)
- The Department of Energy
- The Utah Department of Natural Resources (Div. of Wildlife Resources, Division of Water Quality, Division of Oil, Gas, and Mining)

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- The Utah Department of Environmental Quality (Division of Air Quality, Division of Solid and Hazardous Waste, Division of Radiation Control)
- The Utah Department of Public Health.

Copies of correspondence with appropriate agencies are included in the Administrative Record, and a synopsis of relevant issues is provided within this scoping discussion.

The Environmental Protection Agency's materials published on Technologically Enhanced Naturally Occurring Radioactivity should be referenced when preparing the EA for the Daneros Mine project.

This topic is analyzed and potential impacts are described in the EA.

The operation of the mine site, hauling, and milling facilities may result in the inhalation of radiation from radon and inhalation of carcinogens from the uranium dust resulting in a health hazard for mine/mill workers and citizens living near the mine operations.

This EA contains a section dedicated to the assessment of human health and safety concerns for all aspects of the proposed action. Any identified impacts will be disclosed and addressed through the NEPA process.

Reclamation of uranium mines is often difficult and the costs associated with the reclamation are often vastly under-estimated. The BLM should apply strict scrutiny to the operation and reclamation plan for the Daneros mine so that Utah citizens do not end up paying for the reclamation of the site.

BLM is aware of bonding requirements and will coordinate with the Utah Division of Oil, Gas, and Mining in determining a bond amount and will comply with all relevant policy.

The restoration efforts, after the operation of the uranium mine has ceased, should meet the radiological standards. Reclamation efforts could include, but are not limited to: capping and revegetation with native seeds to protect against environmental impacts associated with the long-term disposal of waste.

This topic is analyzed and potential impacts are described in the EA.

There is concern that the BLM needs to assure that the site will be successfully reclaimed.

Reclamation measures are part of the proposed action and BLM will consider any additional measures necessary through the NEPA process.

Southern Utah offers highly valuable recreation experiences of which the construction and operation of a uranium mine would significantly reduce this valuable recreational experience for users of the area.

This topic is addressed in the EA. Though mine operations and truck traffic may locally affect recreational users, the operation will not appreciably alter recreation opportunities over a large area.

The EIS must analyze the socioeconomic impacts associated with the Daneros mine's ore being hauled to and milled at one of the milling locations chosen to be used.

The BLM has chosen to prepare an EA. This topic of socioeconomics is addressed in the EA.

The construction and operation of a uranium mine may result in adverse impacts to soils, including long-term contamination due to a lack of permanent disposal options, loss of topsoil and increased wind and water erosion.

This topic is considered in the EA.

Threatened, endangered and sensitive species may be directly impacted by surface disturbance and increased vehicle traffic, noise, lights, changes in water quality and quantity, dust, contamination of water and soil, and changes in runoff patterns or soil moisture associated with mining activities.

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This topic is analyzed and potential impacts are described in the EA.

Habitat loss, fragmentation and degradation associated with the proposed Daneros mine and other reasonably foreseeable future actions (including oil and gas leasing and development, additional uranium leasing and development, increased off-road vehicle use etc.) may have significant direct, indirect and cumulative impacts on threatened, endangered and sensitive species.

This topic is analyzed and potential impacts are described in the EA.

The operation of a uranium mine may result in a significant increase in local traffic on many of the proposed transportation routes, causing substantial road deterioration and safety concerns. These concerns may be mitigated through, but is not limited to, the following:

- Dirt roads should be paved or graveled
- Speed limits should be lowered to prevent mining traffic from going too fast, potentially causing accidents such as spills, turnovers, collisions with other traffic, wildlife, or livestock

This topic is analyzed and potential impacts are described in the EA.

Constructing the Daneros Mine may result in the unintentional spreading of noxious weeds or invasive species in the surrounding area. The EA should analyze the effects of the use of physical controls, such as covering impacted ground and physically removing the weeds by raking, hoeing, or hand pulling versus chemical controls.

This topic is analyzed and potential impacts are described in the EA.

The construction and operation of a uranium mine, and the associated transport of uranium ore and waste piles, would significantly reduce the value of the scenic experience for users of and visitors to the area.

The impacts to visual resources are discussed in the EA.

The EA should address where the water for mine operation and dust suppression will come from and how the drainage area may be impacted.

This EA contains a section dedicated to the assessment of water quality and potential impacts to water resources from all aspects of the proposed action. Current and historical operations in the area indicate that there is no groundwater present in the proposed operational area. Water quality and quantity are also discussed in the POO, and water resources will be legally permitted through the State of Utah. Any identified impacts are will be disclosed and addressed through the NEPA process.

There is concern that the groundwater that will be sprayed for dust suppression and used for mine operations needs to be confirmed as free of contaminants before approving its use. In addition, the well water should be tested periodically throughout the time the mine is operating to determine if the water quality has been deteriorated.

This topic is analyzed and potential impacts are described in the EA.

The storage of waste rock in association with a uranium mine may result in the contamination of surface and groundwater near the mining site. All waste rock and other ore-storage or disposal areas should be lined and monitored for water quality impacts, including storm runoff event, to mitigate this potential adverse impact.

This topic is analyzed and potential impacts are described in the EA.

The EA should analyze the waste water treatment design at the mine site to ensure compliance with the Clean Water Act, the Federal Land Policy and Management Act, and NEPA's requirement to describe the mine operations with respect to waste water treatment.

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This topic is analyzed and potential impacts are described in the EA.

The Applicant should submit documentation that the water rights have been properly appropriated and that the changes in the point of diversion, purpose of use, and place of use of the water have been approved by the State Engineer to assure that the water rights are properly secured for the mining project.

The BLM and the proponent are aware of the need to acquire necessary water rights and this is part of the proposed action.

The EA should analyze the potential impacts to surface and groundwater from the mining, hauling, and milling operations. These impacts could include:

- Contamination and pollution of surface and groundwater
- Depletion of groundwater which could in turn affect seeps, springs, streams, and other surface waters
- The creation of uranium cake, sulfuric acid, and ferrous sulfate from water coming in contact with uranium bearing ore

This EA contains a section dedicated to the assessment of water quality and potential impacts to water resources from all aspects of the proposed action. Current and historical operations in the area indicate that there is no groundwater present in the proposed operational area. Water quality and quantity are also discussed in the POO, and water resources will be legally permitted through the State of Utah. Any identified impacts are will be disclosed and addressed through the NEPA process.

The contamination of water used in mining operations may result in hazardous affects to mine workers who drink the water (whether authorized or not) if it does not meet drinking water standards.

This topic is analyzed and potential impacts are described in the EA.

The BLM should conduct scientific studies to verify the claims made in the Plan of Operations that acid-mine drainage will not occur. This can be done through acid-based-accounting testing as well as Synthetic Precipitation Leaching Procedure procedures.

Appropriate level and type of analysis will be completed in the EA.

The BLM should reassess the public lands adjacent to the proposed mine operations for wilderness characteristics and adjust its wilderness character area boundaries to include all of the public lands that retain naturalness and outstanding opportunities for solitude and/or primitive recreation. In its previous assessment of the area, the BLM used natural features for the boundaries of the area determined to have wilderness character, when clearly the wilderness characteristics of this area extend beyond cliff faces and other geological features used by BLM.

A reevaluation of the wilderness character of this area is beyond the scope of this analysis.

The noise, site disturbance, traffic, lights, and water contamination associated with the construction and operation of the uranium mine may result in an adverse impact on wildlife in the surrounding area.

This topic is analyzed and potential impacts are described in the EA.

A full analysis must be conducted in regards to any impacts to migratory birds. To complete this, any open water that is contaminated and could impact migratory birds must be thoroughly investigated, including any possible violations to the Migratory Bird Treaty Act.

BLM agrees and an appropriate level of impact analysis is documented in the EA.

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A full analysis must be conducted in regards to any impacts to bats. Bat surveys and monitoring must be conducted before, during, and after the proposed mining project.

BLM agrees and an appropriate level of impact analysis is documented in the EA.

The potential for acid generation and associated dissolution of heavy metals may exist within the proposed waste rock pile and the plan of operations did not provide detailed data or information to evaluate the potential for acidic discharge from the waste rock dump.

BLM agrees and this topic is analyzed and potential impacts are described in the EA, as well as in Appendix J.

In the plan of operations, UEC surface water sample ID “1-Daneros/Bootleg” has a uranium activity of 23.8 mg/l and a Ra-226 activity 14.3 pCi/l; these activities are very high and inconsistent with the natural crustal abundance for these minerals. The other surface water activities submitted were .0278 and .0671 mg/l uranium, which are consistent with background levels.

Existing conditions at the proposed project site have been documented as part of the EA. As previous uranium mining operations were conducted at the proposed project location, the existing surface water conditions reflect these previous activities.

The plan to use water from the Fry Canyon Spring should be discussed with Terry Snyder of the BLM’s Abandoned Mine Division in Utah. Elevated uranium levels occur in Fry Canyon Creek due to the historic operations of uranium mines. UEC could probably use water upstream of the contaminated site or sufficiently down stream where the uranium levels approach background conditions.

This plan has been discussed with Terry Snyder and additional testing has been conducted on water samples from Fry Canyon Spring. Water from this spring will not be used for domestic purposes; rather, it will be used for dust control on unpaved roads used to transport ore.

The plan states that the “Fry Canyon Lodge” will be used for housing. The EPA was informed that this facility’s drinking water supplies have high levels of radionuclides. The EPA does not have the sample data. UEC should contact the BLM Abandoned Mine Division for more information.

BLM Abandoned Mine Division has been contacted. Water for domestic use by workers living at the Fry Canyon Lodge will be brought in from an alternative source with acceptable levels of radionuclides.

In the “Outside Radon Test” discussion, UEC states that it intends to comply with EPA rule 40 CFR Part B (monitoring at uranium mines). The citation is not complete and appears to be a typographical error; the applicable standard is 40 CFR Part 61 Subpart B. The requirements of 40 CFR Part 61 Subpart A also apply (i.e., construction approval, startup notification, initial emission test requirements, etc.). The State of Utah has been delegated responsibility for this program.

The proposed project will comply with 40 CFR Part 61 Subparts A and B. The EA cites 40 CFR Part 61 in Section 4.2.1.

Radionuclide contamination from past operations may be present in the existing roads that will be used to transport ore.

Existing conditions at the proposed project site have been documented as part of the plan of operations (Item X – Gamma Survey). As previous uranium mining operations were conducted at the proposed project location, the existing soil conditions reflect these previous activities.

Pre-mining baseline data with regard to existing radionuclide contamination should be collected for sediments in creek beds around the proposed site.

Soil samples have been taken from multiple locations throughout the project area and tested for a

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variety of contaminants.

There are many cultural areas and sites within the proposed area of the project and the proposed project would pose a threat to the significance of these resources. The proposed project is not in the best interest of the Navajo Nation.

BLM will conduct additional consultations with the Navajo Nation in order to address any specific concerns they may have related to uranium mining in the proposed project area. No historic properties or TCPs were identified during cultural resource inventories conducted for the proposed project, and therefore, no historic properties will be affected. No avoidance or other mitigation measures are needed. No concerns were raised during consultations with 15 Native American Tribes/Pueblos regarding impacts to specific prehistoric archaeological resources, TCPs, sacred areas, or traditional uses.

Native American Tribes in the vicinity of the proposed project should be consulted.

BLM has consulted with 15 Native American Tribes/Pueblos with regard to this project.

Public scoping efforts meet applicable law, regulation, and policy and an additional 30-day public comment period would cause unnecessary delays.

BLM has decided to make the EA available for public review and comment.

Approval of the Plan of Operations should exclude certain lands lying within the boundaries of the Yellow Parrot Claims which have been overstaked by the Tessa Claims .

The BLM policy is that it will not become the forum for the resolution of private party disputes between rival claimants. A suit filed in a court of competent jurisdiction is the proper venue for resolving such disputes.
