

FEDERAL REGISTER: 45 FR 12366 (February 25, 1980)

DEPARTMENT OF THE INTERIOR

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM)

Energy Fuels Corp., (Energy No. 1 and Energy No. 2 Mines) Routt County, Colo; Notice of Pending Decision To Approve Proposed Major Modification to Coal Mining and Reclamation Plan (Federal Lease Nos. C-22644, C-20900, C-128433, C-081330, D-052548, and C-16284)

ACTION: Notice of Pending Decision to Approve Proposed Major Modification to Surface Coal Mining and Reclamation Plan with Stipulations.

SUMMARY: Pursuant to Section 1506.6 of Title 40 and Section 211.5 of Title 30, Code of Federal Regulations, notice is hereby given that the Region V Office of Surface Mining Reclamation and Enforcement (OSM) has completed a technical and environmental review of a major modification to a mining and reclamation plan and has recommended to the Department approval of the plan with stipulations. Notice of availability of the application of the Energy Fuels Corporation was published in the Federal Register on December 19, 1979, 44 FR 75241-52.

ADDRESSES: The Office has prepared a technical analysis (TA) and an environmental assessment (EA) and from its studies has determined that significant impacts that could ensue from the proposed modification have been assessed in the following impact statement: "Northwest Colorado Coal Environmental Statement." That impact statement consists of three volumes: a Regional Analysis Volume, a Site Specific volume and an appendix report. The Site Specific Analysis Volume addresses the Energy Fuels Corporation Mining and Reclamation Plan for the Energy Fuels Nos. 1 and 2 mines along with the proposed extension of the No. 1 mine into the Eckman Park Area.

The proposed mine is located about 25 miles west-southwest of Steamboat Springs, Colorado in Routt County along County Road number 27 which runs between Oak Creek and Hayden.

Location of Lands To Be Affected By Modification

Applicant: Energy Fuels Corporation

Mine Name: Energy #1 and #2

State: Colorado

County: Routt

Township, Range, Section: T. 5 N., R. 86 W., Sections 19, 20, 21, 28, 29, 31, 32, 33, 34; T. 5 N., R. 87 W., Sections 24, 25, 30; T. 4 N., R. 56 W., Sections: 7, 8, 9, 16, 17, 18, 19, 20 and 21; T. 4 N., R. 87 W., Sections 13, 24, 25.

OFFICE OF SURFACE MINING REFERENCE [WORD ILLEGIBLE] CO-0003

The proposed modification involves mining and associated disturbance of 1,800 acres of the total permit area of 6,680 acres. The mines are dragline and shovel operations removing predominantly Federal coal and a small percentage of private coal. The coal is shipped by the Denver and Rio-Grande Railroad to Illinois Power Company and the Public Service Company of Colorado. The reported annual production rate would be maintained at its present level of 3.9 million tons per year over a six year period (1980 to 1985). The proposed modification involves an extension of mining activities southwest from the presently mined area. The operation would involve the extraction of coal in primarily the Wadge seam and, where economically feasible, from the Lennox seam. The area scheduled for mining is outside the mining boundaries previously approved by the Department. Energy Fuels is requesting exceptions from contemporaneous reclamation in 2 areas, a portion of the mine associated with the initial box cut because of spoil handling problems and a portion of the mine where a proposed underground portal would be located.

The purpose of this notice is to inform the public that based on OSM staff review and analysis of the mining and reclamation plan, the reviews of other State and Federal agencies, the Regional Director, Region V, Office of Surface Mining is recommending approval of the major modification of the Energy Fuels Corporation Mine #1 and #2 Mining and Reclamation plan with stipulations. Any person having an interest which is or may be adversely affected by recommended approval may request, in writing, a public meeting on the proposed decision.

The applicant's plan was reviewed under 30 CFR Part 211 and the performance standards of the permanent program on Federal lands. Recent amendments to 30 CFR 701.11 and 741.11 postpone the effective date for operator compliance with the permanent program on Federal lands until the date of approval of a State program or implementation of a Federal program for

State (See 44 FR 77440-47, December 31, 1979). Departmental action on the Energy Fuels Corporation major modification at this time does not relieve the operator of the obligation to file a new permit application not later than two months after the effective date of approval of the Colorado program for implementation of a Federal program in Colorado). Upon receipt of that application, the Office of Surface Mining will proceed to review the application pursuant to 30 CFR Chapter VII, Subchapter D.

The Secretary's decision will consider the recommendations of OSM as well as the Bureau of Land Management, the U.S. Geological Survey and any public comments received on or before 20-days after publishing in the Federal Register.

DATES: All requests for a public meeting must be made on or before March 17, 1980. No decision on the plan will be made by the Assistant Secretary, Energy and Minerals, prior to the expiration of the 20-day period.

ADDRESSES: The technical analysis, environmental assessment, and proposed stipulations are available on request and for review in the Office of Surface Mining, Region V. Any comments on the proposed approval should be submitted to the Regional Director, Region V, Office of Surface Mining, Brooks Towers, 1020 Fifteenth Street, Denver, Colorado 80202 no later than March 17, 1980.

FOR FURTHER INFORMATION CONTACT: Keith Kirk, Office of Surface Mining, Region V, Brooks Towers, 1020 Fifteenth Street, Denver, Colorado 80202.

Donald A. Crane,
Regional Director.

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