

**DIVISION OF RECLAMATION, MINING AND SAFETY
2008 Legislation**

HB 08-1161

“CONCERNING AN INCREASE IN THE REGULATORY AUTHORITY OF THE MINED LAND RECLAMATION BOARD OVER MINING, AND, IN CONNECTION THEREWITH, ENSURING THE PROTECTION OF GROUND WATER AND PUBLIC HEALTH, AND MAKING AN APPROPRIATION”

The bill has twelve major provisions:

- Requires conventional uranium mining operations to be Designated Mining Operations.
- In situ mining applicants must certify that no violations exist related to the Colorado Mined Land Reclamation Act, or analogous laws in other states or the U. S. Government.
- In situ mining applicants must identify five comparable operations that are in compliance with applicable federal and state groundwater regulations.
- Extends landowner notification area to within three miles of the land affected by the in situ operation.
- Requires in situ mining applicants to provide a baseline site characterization and a plan for on-going monitoring of the affected land, surface water and ground water prior to Board action on the application. Such information shall be a matter of public record as restricted by law.
- Allows the agency to hire an independent third party at the operator’s expense to oversee development of such plans.
- For in situ mining operations, any excursion affecting groundwater outside the affected land that fails to meet established standards shall be grounds for immediate reclamation.
- Sets conditions for temporary cessation, and sets a five-year timeframe for reclamation for each phase.
- Extends application review period to 240 days.
- Sets grounds for Board denial of an application – including compliance with applicable groundwater standards and a willful pattern of violations in U.S. operations. Also sets conditions for permit reinstatement.
- Requires the necessary steps to protect pre-mining groundwater uses.
- Sets procedures for reporting failures.

SB 08-228

“CONCERNING INCREASED PUBLIC DISCLOSURE OF THE CONTENTS OF A NOTICE OF INTENT TO CONDUCT MINING OPERATIONS”

The bill has six major provisions:

- Specifies that most information provided in a notice of intent to conduct prospecting, or a modification of such a notice, is a matter of public record subject to the Open Records Act.
- Maintains confidentiality of information relating to the location, size or nature of the mineral deposit and other information designated by the operator and determined by the Board to be a trade secret, proprietary information or information that would cause substantial harm to the competitive position of the operator.
- Requires the Board to conduct a rule-making hearing to implement the provisions of the bill.
- Requires that non-confidential information become a matter of public record at time of submittal of notice or modification.
- Requires that the applicant filing the notice or modification include an electronic version of the submittal, excluding that information exempted from public disclosure, in a format determined by the Board.
- Requires the division to post such version on its web site.

SB 08-169

“CONCERNING HARDROCK MINING FEES”

The bill has three major provisions:

- Establishes a fee for 110 limited impact permit amendments where no fee has existed historically;
 - Allows a pass through of extraordinary costs incurred in the review of in situ uranium permits, amendments and other permit revisions to the applicant per discussion with the JBC -- comparable to the structure for oil shale; and
 - Allows the oil shale fee structure to apply to “revisions to a permit other than amendments.”
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