



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

August 29, 2014

AUC LLC, Reno Creek
Mr. James Viellenave
1536 Cole Blvd., Suite 330
Lakewood, CO 80401

Re: Reno Creek ISR Project Application for a Permit to Mine, TFN 5 4/150, Round 4 Technical Review

Dear Mr. Viellenave,

The DEQ Land Quality Division (LQD) District 3 staff has reviewed AUC's responses to LQD's Round 3 Technical Review comments. Enclosed is a memorandum containing LQD's Round 4 Technical Review comments for the Reno Creek ISR Project Application for a Permit to Mine. The Round 4 Technical Review has found that the application is *Technically Incomplete* for the purpose of W.S. § 35-11-406(h).

To date no review comments have been received from the U.S. Fish and Wildlife Service, and the State Historical Preservation Office. LQD is continuing to follow-up with these agencies and will forward their comments to AUC upon their receipt.

Please direct all comments to the LQD District 3 office in Sheridan. If you have any questions, please contact me at the LQD Sheridan Office, 307-675-5619.

Respectfully,

Luke McMahan
Project Geologist

\lm

Enc.: LQD Round 4 Technical Review Memorandum

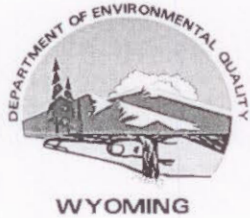
cc: LQD Cheyenne File w/ attachments

Chad Glenn, Document Processing Center, NRC, 11545 Rockville Pike, Rockville, MD.
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MSK
9/2/14



MEMORANDUM

TO: File: **TFN 5 4/150**; AUC, Reno Creek ISR Project

FROM: Luke McMahan, Permit Coordinator/Project Geologist, District III **LM**

DATE: August 29, 2014

SUBJECT: Round 4 Technical Review Comments, Permit to Mine Application for AUC LLC's Reno Creek ISR Project, Campbell County, Wyoming

DISCUSSION:

Land Quality Division (LQD) District III received the subject application on January 24, 2013 under cover letter dated January 21, 2013 from Mr. Viellenave, President of AUC LLC. The Application was determined to be complete per LQD's April 4, 2013 letter to Mr. Viellenave notifying AUC that the Application was Complete and Suitable For First Publication as per W.S. § 35-11-406(g).

LQD Round 1 Technical Review – Round 1 LQD Comments were submitted to AUC on two (2) occasions under cover letters dated August 8, 2013 and August 27, 2013. On November 13, 2013 LQD District 3 received AUC's Round One Response Package for the Reno Creek ISR Project Permit to Mine Application. The Response Package was provided by AUC as electronic PDF submittals on DVD (CD-ROM).

LQD Round 2 Technical Review – Round 2 LQD Comments were submitted to AUC under cover letter dated December 9, 2013. On June 2, 2014 LQD District 3 received AUC's responses to the LQD Round 2 Technical Review. The Response Package was provided by AUC as electronic PDF submittal on CD-ROM, dated May 2014.

LQD Round 3 Technical Review – Round 3 LQD Comments were submitted to AUC under cover letter dated June 27, 2014 and provided review comments for the May 2014 CD-ROM version of the permit to mine application. On August 1st, 2014 District 3 received AUC's responses to the LQD Round 3 Technical Review.

LQD Round 4 Technical Review – This Memorandum, dated August 29, 2014 provides the results from LQD's review of the August 1, 2014 CD-ROM version of the Application. All remaining comments are from District 3 Project Geologist Luke McMahan.

LM
8/29/14

REVIEW COMMENTS:

1. Adjudication: Form 8, Floyd C Reno & Sons Inc., dated May 30, 2014, Section 1, T42N R74W; on the fourth line the lands are listed as "*Part South of State Hwy 387 SW/NE 1/4*". It appears that the location should be listed as "*Part South of State Hwy 387 in SE1/4 SW1/4*". ***Please correct the subject area in Section 1, T42N R74W on the May 30, 2014 Form 8 for Floyd C Reno & Sons Inc. Either a new Form 8 may be provided or AUC may correct the May 30, 2014 Form 8 and provide a letter signed by the landowner approving the correction. If providing a letter, please include the letter in the permit application following the subject Form 8. (LM)***
2. Appendix D3 – Cultural and Paleontological Resources; AUC has removed Addendum D3-A "Historic and Cultural Resources Report" from the Permit to Mine Application CD and has retained the summary information as requested. However, Addendum D3-B "Paleontological Field Survey" is still included on the application CD. ***D3-B should also be kept in a confidential file and therefore should be included with D3-A on a separate CD. The Appendix D3 'Summary' (pages D3-i through D3-5) and Addendum D3-C "Unanticipated Discoveries Plan for Archaeological Resources and Paleontological Resources" can remain on the application CD. (LM)***
3. Appendix D12 – Statement of Basis; Per 40 CFR 146.4 an exempted aquifer cannot currently serve as a source of drinking water and if any public or private drinking water wells or springs are (or will be) capturing or producing drinking water from ore bearing aquifers within the proposed exemption area, then the aquifer is a current source of drinking water. ***LQD recommends AUC provide information showing the extent of drawdown and the extent of the zone of groundwater contribution associated with domestic/stock wells Taffner #1 (42-74-I-SENE) and Laur #6 (43-74-25 NESE), demonstrating that such wells are not and will not utilize the proposed exemption area as a source of drinking water. Groundwater modeling may be used to demonstrate that the aquifer is not a current source of drinking water. (LM)***
4. Appendix D12 – Statement of Basis; in order assist EPA in conducting its review of Appendix D12 for the aquifer exemption, ***please provide shape files for the following Appendix D12 map: "Figure D12-2, Proposed Aquifer Exemption Areas With Existing Groundwater Wells (excluding CBM, Oil and Gas)". (LM)***
5. The State Historical Preservation Office (SHPO) has yet to provide LQD with the results of their review of the Cultural Resources Survey (Addendum D3). ***Review of the Cultural Resources Survey by SHPO must be complete before the application can be declared technically adequate. (LM)***