

TRANSCRIPT OF PUBLIC COMMENTS IN THE MATTER OF
PROPOSED PINON RIDGE MILL

Taken at the Montrose Pavilion

1800 Pavilion Drive

Montrose, Colorado

6:00 p.m.

February 17, 2010

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1 JUDGE RICHARD J. BROWN: All right,
2 everyone, come on in and have a seat. We're going to go
3 ahead and begin the public hearing this evening.
4 My name is Richard Brown, I'm going to act
5 as the moderator for the proceeding this evening. These
6 meetings are very unusual for me because I'm used to
7 being in a courtroom. This is very pleasant to me to
8 have people come who actually want to be here for a
9 change. So I'm not used to that.
10 The purpose for this meeting is for the
11 public, of course, to share comments and viewpoints
12 regarding license application by the Pinon Ridge Mill
13 before the Department of Health.
14 I want to introduce some of the folks here
15 this evening. With me is Becky Wolford, who is going to
16 help me, she's going to do the timing, keeping track of
17 the speakers. We're going to do all those kinds of
18 things.
19 On my right, your left, is Mr. Keith Rusk,
20 who is a certified shorthand reporter. Keith and I go
21 back an awful long ways in various court proceedings and
22 so on and so forth, and in spite of the way he may look,
23 he's a very top notch Court Reporter. And he's going to
24 take a verbatim record of all the proceedings this
25 evening. And one of the things that is really important

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1 for the speakers, if you can remember, is to speak as
2 clearly as you can, speak as distinctly as you can. And
3 try not to go very, very, very fast in your speaking.
4 He can take things down at, I don't know, 200 some words
5 a minute. But if you go too awfully fast they kind of
6 mumble together.
7 I want to introduce seated in the front
8 here is Mr. Ron Henderson, who is the chairman of the
9 Montrose County Board of Commissioners. Hold your
10 applause, I haven't told a joke. The commissioners are
11 here, and I think that maybe Mr. White will be here
12 later on. And also Jeff Smith is here. Jeff is the
13 County Manager for the county.
14 And the commissioners are here simply to
15 observe and to listen. This meeting is not for the
16 county commissioners, it's for the Department of Health.
17 But on the other hand they're here to observe and listen
18 and hear your comments and those kinds of things.
19 Now on my left, your right is kind of the
20 main reason we're here. These are folks from the
21 Department of Health. And I want to introduce to you
22 Steve Tarlton, who is the program director, and Steve is
23 going to introduce the folks that are here with him.
24 STEVE TARLTON: I want to thank you
25 all for coming. It's very important for us to hear what

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1 the local people have to say about these types of
2 projects. We have a lot of technical expertise, but I
3 always felt that it helps us to hear what you have to
4 say. And so that's why we're here, to listen to what
5 you have to say tonight.
6 I would like to introduce the members of
7 the team, this is part of the team that will be working
8 on the application review.
9 Edgar Ethington will be working a lot with
10 the geology, some of the subsurface issues, ground
11 water, the soil.
12 Phil Egidi is the project manager for us.
13 Phil actually lives in Hotchkiss and works out of our
14 Grand Junction office.
15 Jennifer Opila is the unit leader for the
16 radioactive materials unit.
17 Jim Grice is the licensing lead for us.
18 Both Jennifer and Jim will be working on the license
19 itself, should we go that way at the end of this
20 process.
21 And Marilyn Null does public involvement
22 for us. So a lot of the information that we get from
23 you in terms of comments, and so on, will go through
24 Marilyn.
25 It is, as I said, extremely important that

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1 we hear from you. We have some procedures that we
2 follow in terms of this application review. And that
3 includes some very specific schedule requirements that
4 are in the Radiation Control Act, which are in statute
5 not in regulation. So this is the schedule involved so
6 far.
7 What we've got is, some of these things
8 have occurred, and some are fixed. A lot of the future
9 dates are dependent upon other activity taking place.
10 So we've got the initial application was
11 the filed with us, we had our completeness review, which
12 is basically a quick review, a very superficial review
13 to determine whether all the pieces are there that would
14 enable us to do a more thorough technical review to
15 determine if the material that is there is adequate to
16 make a decision.
17 Then we've got the first public meeting is
18 required to be held within 45 days, and that was done on
19 January 21, of the original determination that the
20 application was complete.
21 The second public meeting is required to be
22 held within 30 days of the first public hearing, so we
23 have a time line there.
24 The county commissioners are given 90 days
25 from, I forget if it's the first or second public

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1 meeting to get their comments to us on the environmental
2 report, and that is done with a certain amount of
3 materials provided by Energy Fuels to the county to
4 assist with that review.
5 And then we will have additional comment
6 meetings later in this process. So tonight is not your
7 only chance. It is possible that there are some of you
8 that haven't had a chance to read all 15 volumes of the
9 application yet. Even though we've been through it
10 once, we don't expect all of you to. So later in the
11 spring, maybe in the summer, we will have some
12 additional meetings. Possibly even specific to certain
13 topics that are touched on in the application.
14 And then we have two dates that are fixed
15 in the statute, depending on when we get the county
16 commissioner comments, and that is when we must make a
17 decision. Our decision will take the form of a decision
18 document that will identify the significant issues that
19 we encountered as a result of our review of the
20 application, and it could include a radioactive
21 materials license. Our options are to issue a
22 radioactive materials license as proposed by the
23 applicant, to issue a radioactive materials license with
24 modifications in terms of license conditions based on
25 our review, and to deny the license. But there will be

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1 a decision document that will come out that you all will
2 want to read.
3 And then there is a process that allows a
4 hearing to be held based on that decision should anyone
5 disagree with our decision, whichever way it goes.
6 So there's a process there that triggers,
7 and that becomes an administrative process. And after
8 the administrative process there's a legal process that
9 it goes through. So we could be doing this for awhile.
10 So, anyway, that's why I have the other
11 slide that has some contact information. There's also
12 some handouts on the table with both this tentative
13 schedule and with that contact information. I encourage
14 you to go to our website, sign up to receive the
15 information as we go through this process. And there's
16 also a link where you can send comments in to that
17 website. We also take comments, as I said, at these
18 meetings, and accept them in writing if you just want to
19 mail them to us. So whatever you need to get those
20 comments, we encourage you to do that.
21 Thank you.
22 JUDGE RICHARD J. BROWN: All right,
23 thanks, Steve.
24 Now, the next item on the agenda is going
25 to be a presentation by Energy Fuels, Mr. Frank Filas,

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1 who is seated by the projector. This is about a 15 to
2 20-minute presentation. After that we will begin taking
3 public comments. So we will have that presentation now.
4 FRANK FILAS: Good evening. I'm
5 Frank Filas, I'm the Environmental Manager for Energy
6 Fuels. Can you all hear me back there? Good.
7 Tonight I'll give you a short introduction
8 to the Pinon Ridge Mill, and in that introduction we
9 will show the project location. We will touch on the
10 regulatory requirements, facility design and operations.
11 The environmental protection measures that are being
12 incorporated into our plans. We will also speak briefly
13 on worker and public safety, closure and reclamation
14 requirements, and we will conclude with a summary of the
15 project benefits.
16 Energy fuels is a publicly traded company
17 on the Canadian Exchange, however, all of our employees
18 are based in Colorado and Utah. So we are a local
19 company and traded on the Canadian Exchange, that's
20 where we sell our stock and that's where we get the
21 capital to operate. However, we are a local company
22 with strong ties to Colorado and Western Montrose
23 County.
24 As a company, and every individual in our
25 company, we are committed to make this an economic asset

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1 to Western Montrose County. And we're also committed to
2 protect Colorado's environment for future generations.
3 The purpose of the Pinon Ridge Mill is to
4 receive and process uranium and vanadium ore from local
5 mines. We plan to process 500 tons of ore per day and
6 we will create concentrates of uranium oxide, better
7 known as yellow cake, and vanadium oxide. These
8 concentrations are sealed in 55-gallon drums and then
9 they are shipped out of state for further processing.
10 The proposed operating life of the mill is 40 years,
11 2012 through 2052.
12 Uranium/vanadium has many uses in our
13 society today. The primary use of uranium is fuel rods
14 for power plants. They're also used in medical and
15 industrial applications.
16 Vanadium is used in the manufacture of
17 industrial chemicals, surgical instruments, they're also
18 being developed for batteries for renewable energy
19 systems. The primary purpose though is the formation of
20 high-strength alloy steels.
21 In the State of Colorado uranium mines, or
22 uranium mills, excuse me, are regulated by the Colorado
23 Department of Public Health and Environment,
24 specifically the radiation management unit. People who
25 will be reviewing our license application are here

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1 tonight.

2 The county input is also critical, Montrose

3 County, as far as the evaluation of land use, social,

4 economic and other local impacts. And it's nice to see

5 a good contingent here from Montrose County tonight,

6 too.

7 There are also numerous local, state and

8 federal agencies that have regulatory authority over all

9 aspects of our facility. We are one of the most

10 regulated industries in our country, however I'm not

11 going to get into that tonight, we're going to focus on

12 CDPHE's licensing process.

13 On November 18 we submitted our license

14 application, which consists of 15 volumes. That's this

15 row here of volumes, it's about five feet thick.

16 However, we also submitted an environmental report at

17 the same time, which summarizes what the license

18 application has in it, plus the environmental report

19 looks at the impacts that the project would have on

20 various aspects of, well, just about anything out there

21 as far as socio-economics, ground water, surface water,

22 air quality. You will find it all here in this

23 environmental report.

24 And so to learn a little bit about our

25 project, I would start definitely with the environmental

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1 report, and then if you want to deal with any of the

2 details, these 15 volumes are also available. They're

3 available in hard copy at the Montrose County Land Use

4 Department and also at the Nucla library for your

5 review. They are also located on the CDPHE's website,

6 and you can download them electronically and look at

7 them if you care to.

8 The Pinon Ridge Mill site is located about

9 seven miles east of Bedrock and 12 miles west of

10 Naturita here on the very west end of Montrose County.

11 Our site is 880 acres here in the red outline, it's

12 private land owned by Energy Fuels. You can see from

13 the area around us there is underground uranium mines,

14 there's also an open pit uranium mine here. So we're in

15 an area that we have uranium mines immediately adjacent

16 to us as well as throughout the Uravan Mineral Belt

17 within a hundred miles. We're centrally located within

18 that belt. And being close to these mines helps reduce

19 the haul distances.

20 This slide here shows a quick overview of

21 the milling process. We start off here with ore trucks

22 hauling ore to the mill where they stockpile the ore.

23 The ore is feed into a semi-autogenous grinding mill.

24 That's basically a large drum filled with steel balls

25 and water and the ore is ground to a fine slurry in the

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1 semi-autogenous mill.

2 From there it goes to our leaching circuit

3 where we use sulfuric acid to liberate the vanadium and

4 uranium. And this uranium and vanadium goes in solution

5 to a uranium recovery circuit and also to a vanadium

6 recovery circuit where we use solvents to concentrate

7 the uranium and vanadium, dry it out and then package it

8 in these 55-gallon drums.

9 The waste for the project goes to a

10 tailings cell, these are multiple-lined cells. We try to

11 use all the water we have and conserve it to the best of

12 our ability, but any excess that we cannot reuse goes to

13 our evaporation ponds where it's evaporated.

14 This shows the plan view of that schematic

15 I just showed you. There's a road coming in to the

16 facility and it would come off of Highway 90, come down

17 here to the ore pads and also to the mill. The tailings

18 cells, the first one that would be built, tailings cell

19 A. And then as the mill expands over the future into

20 the 40-year build-out, we would add two additional

21 tailings cells, B and C. There's also a 40-acre

22 evaporation pond that can be expanded to 80 acres as the

23 mill expands in the future.

24 And I think that pretty well covers that

25 slide.

13

1 This actually is a facility rendering of

2 what that mill would look like at full build-out after

3 40 years. Again, this is, there will be a road coming

4 in here to the ore pads. The mill would be located

5 here, tailing cells in this area and evaporation ponds

6 in the north end of the site.

7 There will also be an admin building right

8 here where people who are not working in the mill, the

9 support people, the people who support the mines would

10 have offices.

11 Environmental protection is a very

12 important part of our company philosophy and we

13 approached this site, it started off with site

14 selection, continued on through baseline data collection

15 and there is ongoing monitoring that is still occurring

16 today.

17 When we looked at sites we probably looked

18 at two dozen sites in Utah and Colorado, we worked that

19 list down to seven. From that seven we believe that the

20 Pinon Ridge Mill site is by far the best site and most

21 suitable for milling. The depth of the ground water is

22 450 feet or more. There's no perennial surface water in

23 the nearby vicinity. These are things both the state

24 and federal government looked at very closely. If we do

25 have an accidental release they want us to be able to

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1 clean it up easily and not contaminate the surface
2 water.

3 And we also have other advantages, the site
4 is a very stable site. It's in a relatively remote
5 location. Our nearest neighbor is located way down here
6 about three miles away. It's also, as we mentioned
7 earlier, it's in close proximity to the uranium mines
8 and it also has easy and safe access to Highway 90.

9 We've been collecting baseline data since
10 shortly after we purchased the site in July of 2008 --
11 or, excuse me, July of 2007. So we're now into the
12 second year of baseline data collection. That included
13 all the media that you see up above. Now, these reports
14 are all provided in the license application on the
15 baseline, and they're summarized throughout in the
16 environmental report.

17 One of the important things that we did
18 after we had got the lay of the land is that we situated
19 our mill in such a way that we would have the least
20 impact on our neighbors that we possibly could have. We
21 put the mill and the ore pad down here three-quarters of
22 a mile off the highway, and they are located in metal
23 buildings so that if, for example, our SAG mill will
24 make a little bit of noise, but it will be within a
25 building. So the actual loudest noise that you will

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1 hear on the site will be backup alarms on our trucks at
2 the ore pads unloading.

3 We also will have, the tailings cells and
4 evaporation ponds are basically below-grade facilities
5 and they're low profile. We will have shielded outdoor
6 lighting. There will be no offensive odors on site. So
7 we've tried to do our best to make this mill fit in with
8 the least amount of disturbance to our neighbors.

9 We have incorporated a lot of the
10 environmental controls into our mill plans. We have
11 secondary containment for all processing systems, and
12 also our piping will consist of chemically resistant
13 materials as secondary containment.

14 Our liner systems for our tailings cells
15 and evaporation ponds will have multiple linings with
16 leak protection and recovery systems.

17 We will also have storm water controls in
18 place that are designed to make sure that no water that
19 hits on our mill site goes off site, so it's a zero
20 discharge facility.

21 With regard to air quality we will have
22 water sprays and magnesium chloride on our roads and
23 travel ways. We will have a truck wash and each truck
24 coming on the licensed property will be washed and
25 scanned before it leaves the site.

16

1 We will have dust scrubbers and gas
2 scrubbers on the emission points within the mill, and
3 within the packaging area of both the uranium and
4 vanadium circuits we will have automated equipment with
5 hermetically sealed rooms to minimize the amount of dust
6 generated that would be either exposed to our workers or
7 to the public.

8 Furthermore, we will have extensive
9 wildlife protection on site. We will have netting on
10 the evaporation ponds and we will have bird balls on top
11 of our tailings cells. The bird balls are the plastic
12 balls that will float on top of the water or solution so
13 that migratory birds will not light on our ponds.

14 We will also have security fencing in place
15 around the site, chain link fence topped with barbed
16 wire. The fencing will also extend below grade to
17 prevent small animals from digging underneath the fence.

18 I'm going to talk a little bit about health
19 and safety in the mill, but before I do I would like to
20 briefly go over background radiation levels. What a lot
21 of people don't understand that in everyday life we are
22 exposed to a lot of natural background radiation, and
23 that is even more so here in Colorado.

24 The US average for background radiation is
25 310 millirems per year. However, here in Colorado we

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1 have an average of about 400 millirems per year.
2 Leadville, because it's so much higher, has an estimated
3 526 millirems per year. On the West slope of Montrose
4 County we, based on the tests we've done, the average is
5 about 450 millirems per year, that's natural background
6 radiation that an individual living in that area
7 receives.

8 Now, as far as what a worker might receive,
9 or the general public from the mill, there's a level
10 that we legally are allowed to expose our workers to.
11 Our highest is what's shown here, but we are by governed
12 by what's called as low as reasonably achievable. These
13 are regulatory emissions State of Colorado that require
14 us to take every measure practicable to limit radiation
15 exposure of our workers and the public.

16 Our goal for this site is an incremental
17 exposure of a hundred millirems per year for our
18 workers, and 10 millirems for a resident living in the
19 area, more or less.

20 So you compare that to 450 millirems per
21 year, our workers would be exposed to an incremental
22 doses of about 20 percent higher than that. On average
23 with the public a much, a very much smaller dose of less
24 than two percent above background.

25 I'd like to mention, I read recently in

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1 some of the newspapers, especially on the Front Range,
2 that the taxpayers had to do a bailout of the historic
3 mills in the area. And that's not quite right. The
4 historic mills in the area that were first built under
5 the jurisdiction of the Atomic Energy Commission, they
6 were responsible for reclaiming these mills. Some of
7 the later mills that came along, the private sector
8 mills, many of them transitioned from the government to
9 the private sector. So the government mills were
10 reclaimed with taxpayer money because it was the
11 government's responsibility.

12 The ones that transitioned, say, for
13 example, like Uravan were reclaimed with a combination
14 of both taxpayer money and private funds based on the
15 based on the percentage of responsibility of the
16 government and the private company that ran that mill.

17 So I'm saying that right now because I've
18 seen a lot of articles saying that there was a taxpayer
19 bailout, and that hasn't been the case here in Colorado.

20 In our case, before we can get a license
21 from the Colorado Department of Public Health and
22 Environment, it would require us to post detailed
23 decommissioning plans showing how the site will be
24 reclaimed, especially the tailings cells where the
25 radioactive materials will be consolidated at the end of

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1 the mill life. We have already provided details of
2 these plans to CDPHE in our license application.

3 Once we agree on the reclamation plan, the
4 State of Colorado will establish a bond for the site,
5 and that bond will cover not only reclamation, but will
6 also cover long-term maintenance and care. And we will
7 have to post that bond before we can get a license, and
8 that bond will be periodically updated depending on the
9 inflation and anything that happens on the site. In
10 other words, as the site gets bigger the bond is going
11 to go up.

12 The mill will provide many economic
13 benefits. I think a lot of people, local people already
14 know this, so I'm not going to spend much time on it.
15 We put in for 85 new jobs at the mill. Eighty percent
16 of the work force is expected to come from the local
17 population. Wages are expected to average between 40
18 and 75,000 a year plus benefits.

19 We will also support a minimum of 200
20 mining and trucking jobs at nearby mines. Many people
21 tell us this is a low estimate at best.

22 We will also generate tax revenues for
23 public services and infrastructure. These are
24 substantial and they are outlined in the environmental
25 report.

20

1 We will also produce uranium and vanadium
2 needed for power generation and manufacturing. And I
3 think many of you saw in the news last night there's a
4 new power plant, a new nuclear power plant coming on
5 line in Georgia.

6 So our mills, or our nuclear plants, there
7 are 110 in the United States, they're going to need
8 uranium, which brings me to our last slide.

9 Currently the United States consumes 60
10 million pounds per year, but only produces five million
11 pounds per year of uranium.

12 Twenty percent of our power is produced by
13 nuclear power in this country, and they've been doing
14 that for decades, they've been doing it safely. In
15 fact, I've been told that the nuclear power industry is
16 one of the safest in the country, if not the safest.

17 In our case, uranium is domestically
18 abundant, it's clean, doesn't produce carbon dioxide,
19 and it's currently very viable and competitive with
20 other forms of power.

21 Thank you for your attention. I'll give
22 the floor back to Judge Brown.

23 JUDGE RICHARD J. BROWN: What we're
24 going to do, I think the screen is going to go up here
25 in a just moment, and then we're going to begin the

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1 public input segment.

2 Now, what we're going to do is -- I'm
3 tripping over this cord -- what we're going to do is
4 we're going to call out the names of five people, and
5 you can see there's a speaker set up here at the end of
6 each aisle. And just come down to whichever speaker is
7 most convenient for you.

8 The names have all been collected on the
9 sign-up sheets that were there, in addition to the later
10 ones. And they've been just selected at random. Ms.
11 Wolford is going to give me five names and I'll call
12 those out in just a moment, and just come on down to
13 whichever speaker is more convenient to you.

14 I am going to remind the speakers of the
15 speaker protocol that we have in front of each speaker
16 here, and if you would be mindful of that, simply as a
17 courtesy to all other speakers.

18 Also we're going to give the speakers a
19 30-second heads-up, so you have 30 seconds remaining in
20 your speech, we have a little flag that we'll wave here.
21 Sometimes you're down looking at your notes, so we may
22 give you an audible as well if that doesn't seem to
23 take.

24 Please do not give any response or applause
25 for the speakers, and the only reason is that it tends

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1 to add up, you know, 10, 15, 30 seconds on the clock,
2 for multiple speakers, it's going to detract from the
3 time that we have available here. Because we want to
4 get everybody in and give everybody an opportunity to
5 speak. So, please, if you can, refrain from any
6 applause, unless I say something funny. But other than
7 that, please don't applaud.

8 And I want to remind everyone also, there
9 are some comment cards at the sign-up station, and
10 please utilize those. A lot of folks last time used the
11 comment cards to write down their comments in lieu of
12 speaking. And you can do that any time throughout the
13 whole meeting. Please do that, they will be gathered up
14 and the Department of Health will take them back with
15 them and they're going to read all of those as well.
16 And they become a permanent part of the record in
17 addition.

18 The only other comment I think is as we get
19 a little bit further on, we will need to take a little
20 break, Mr. Rusk is pretty good, but he can only last so
21 long with his fingers moving at this speed. So again,
22 at about an hour or an hour and a half we will need to
23 take a 10, 15-minute break for that and we'll get that
24 taken care of.

25 With that, here are the first five names.

23

1 And we may not pronounce some of your names entirely
2 correctly. Some of you, I'm afraid to give you my
3 opinion, didn't necessarily get an A in penmanship. But
4 we'll do the best we can, and please feel free to
5 correct me if I've gotten your name wrong. You know,
6 when you're 65, short and fat, you don't have much of an
7 ego. So if you need to correct it, you just let me know
8 and we will take care of that.

9 All right, here are the first five
10 speakers: Glen Williams, Donald Linkmark, Tony Adkins,
11 Edwin Schlapfer, S-c-h-l-a-p-f-e-r, I believe, Lois
12 Dunn. So go ahead and make your way down here to one of
13 the microphones, if you would.

14 And while you're making your way down, I do
15 have one announcement. I brought a package of M&M's
16 with me and it slipped out of my pocket somewhere, so if
17 you find that package floating around on the floor
18 somewhere, do not attempt to pick that up yourself, only
19 a highly trained professional, such as me, should pick
20 that up.

21 So I think we're getting everybody down
22 here; Glen, Donald, Tony, Edwin, Lois. We're all here.
23 Okay. Let's go ahead and start. Go ahead, sir.

24 GLEN WILLIAMS: I'm Glen Williams
25 with Cotter Corporation in Nucla, Colorado. We've got

24

1 mining properties immediately adjacent to the Energy
2 Fuels mill site. We've got five mines within a two-mile
3 radius that are currently permitted by DGRMS and we
4 could produce probably 500 tons a day easily out of all
5 those mines, which would -- with that we have only a
6 two-mile haul as opposed to an 80-mile haul over to
7 Blanding, which is the other closest mill, or to Canon
8 City, which is 250 miles approximately.

9 As far as I'm concerned that's a
10 significant savings to us as a mining company, to the
11 public to keep those ore trucks off on the highways and
12 minimize potential problems with safety that way. It
13 also brings a significant amount of employment into the
14 area, you know, under the right economy and conditions.

15 And I'm a firm believer that responsible
16 development of our natural resources is something we
17 need to get back to. Recreation is fine, it's something
18 you do when you've got extra money, these days I don't
19 see a lot of that around. And I certainly don't see
20 that should be driving the boat. As far as I'm
21 concerned, we have got natural resources we can make use
22 of, and we should try and make use of them.

23 And if Energy Fuels, their application
24 meets all the requirements that is set by CDPHE, I see
25 no reason that they should not be allowed to try and

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1 build a mill and make it operate.

2 So thank you very much.

3 JUDGE RICHARD J. BROWN: All right.

4 Donald.

5 DONALD LINKMARK: Good evening, my
6 name is Donald Linkmark, I'm a resident of Mesa County.

7 I would like to speak tonight on the
8 necessity of nuclear power being part of a balanced
9 approach for the future generation of electric power.
10 The Daily Sentinel ran an article last month stating
11 that the usage of electric power would meet and surpass
12 the current facilities that generate electrical power by
13 the year 2018, not far into the future. We must act now
14 or face a future of brown-outs, black-outs or just plain
15 electrical service is no longer available in your area.

16 Futurists speak of hydrogen and
17 electrically powered automobiles replacing the current
18 fossil fuel ones we have now. Sounds like a good idea
19 to me if we going to relate it to these shortages of
20 electrical power and fresh water here on the Western
21 Slope.

22 Governor Ritter has recently called to
23 increase the generation of electrical power by renewable
24 fuels to thirty percent in the next twenty years.
25 Xcel agrees in principal as long as the cost of kilowatt

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1 hours remains competitive. Here lies the problem.
2 There are all sorts of future means of generating
3 electrical power. One could have two basins of water
4 generating as water passes to the lower basin and then
5 pump it back to the higher basin with power off the grid
6 with solar powered pumps. Or methane can be collected
7 from feed lots and large municipal treatment plants.
8 Both are doable but do not answer the economy scale.
9 As to wind and solar, both are promising
10 and should be pursued wherever possible. We are doubly
11 fortunate here in Colorado having both sites favorable
12 to generation and manufacturing units of production.
13 I'm sure with a concentrated effort we can reach the
14 thirty percent goal. That still leaves a whopping 70
15 percent to concern ourselves with.
16 Today we rely on coal and coal is king.
17 It meets our demands and supplies and is consistently
18 reliable at a cost well below others. An argument can
19 be made that the cost we pay is not inclusive of the
20 true costs incurred. I doubt any politician today with
21 political capital and backbone who tried to match any
22 kind of equalizing payment. As for global warming,
23 that's a political football that will be kicked around
24 for years without any resolution.
25 To realistically replace coal today, we

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1 need a different supply, a source that can power the
2 grid 24 hours a day seven days a week year in, year out.
3 I believe the source is nuclear generation and we in
4 Colorado have both production sites and means of
5 producing the fuels to do so.
6 JUDGE RICHARD J. BROWN: Thank you.
7 Tony.
8 TONY ADKINS: Good evening, my name
9 is Tony Adkins, I'm a mineral exploration geologist with
10 a lot of experience in the area of metals and uranium.
11 What I would like to address is some of the concerns
12 I've heard about people mentioning downwind radiation
13 the mill, the proposed mill. And I would like to
14 address basically a few points sequentially.
15 One is uranium mineralization is quite old,
16 it's associated with the Jurassic, Salt Wash Member of
17 the Morrison Formation, you know that's about 140
18 million years old, and mineralization was just after
19 that. So the mineralization is a hundred to 140 million
20 years old.
21 Well, there's really no exposure of that
22 mineralization for probably, until most recently, about
23 ten million years ago with the uplift of the Colorado
24 Plateau and then erosion started vigorously down
25 cutting.

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1 Well, after that erosion started then it
2 started breaching the uranium bearing sandstone. So
3 what happened about ten million years ago is that the
4 erosion started, and the uranium started moving out of
5 its host rock either by water moving downstream,
6 mobilized, or physically moved by wind.
7 Well, the point is that for many, many
8 years prior to the establishment of the mill, or the
9 proposed mill is that a lot of erosion had occurred and
10 doing the preliminary work that I've done, I estimate
11 about 37 percent of the Uravan mineral belt has already
12 been eroded or removed by erosion. And a lot of that
13 is, most of that is removal by erosion and water, but a
14 lot of that, or some portion of that is probably through
15 wind borne erosion. And that has been blanketing areas
16 downwind of the Paradox basin for geological time.
17 So while people are concerned about
18 downwind radiation, I just want to point out for the
19 folks and the panel that this has been occurring over
20 geological time and will occur in geological time and it
21 is something that is already done. So the concern about
22 the mill exists, but downwind radiation is a fact, and I
23 think we need to recognize that.
24 So I'll leave this for the record.
25 JUDGE RICHARD J. BROWN: Thank you.

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1 Edwin.
2 EDWIN SCHLAPFER: Good evening, my
3 name is Edwin Schlapfer and I'm from unincorporated San
4 Miguel County.
5 According to the International Atomic
6 Energy Agency we have only six percent of the world's
7 uranium. So I don't understand why we're talking about
8 digging up more of this non-renewable resource and
9 selling to, say, the Chinese or other countries that
10 have the economic strength to buy it away from us. Is
11 it so that our great-grandkids can go fight for it some
12 years in the future. I hope not. I hope I don't have
13 to see that in my lifetime or after I've passed on.
14 We have no idea in 50 or a hundred years
15 from now, we may have a need for this particular
16 resource. And I see more of a strategic reserve for the
17 United States.
18 We have been told at previous hearings that
19 this yellow cake will go to the highest bidder, period.
20 There is zero agents in the United State of America on
21 this particular issue. We have spent an unbelievable
22 amount of taxes just to begin the clean up from the last
23 time, and we simply can't afford to do more of this.
24 We have got 907 metric tons of uranium
25 stockpiled in the United States and Russia has 903

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1 metric tons. We can sign a new agreement at any time
2 when the current one runs out, so why are so many tons
3 being stockpiled.

4 According to the Department of Energy
5 Office management report, latent cancer risk is
6 multiplied 600 times if you live near an underground
7 mine that's in operation versus a mine that's not in
8 operation. We have way too much cancer in our lives to
9 even consider letting a corporation to increase it in
10 any way, shape or form.

11 We do not want American to become an
12 radioactive dump. And these pond liners are essentially
13 1/16ths of an inch thick, and less than an inch thick
14 clay liner and, you know, liners leak. And they don't
15 want it in their back yard so they picked an established
16 site and essentially use that.

17 You are charged with protecting the health
18 of the citizens of the Colorado and I seriously urge you
19 to consider the charge and oath you've taken

20 Thank you for your serious attention.

21 JUDGE RICHARD J. BROWN: Thank you.

22 Lois, you're next.

23 While Lois is making her way to the mike
24 I'll call out the names of the next five folks and you
25 can be making your way down. Bill Thompson, Audean

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1 Lanceman, Noalani Terry, William Shyer, Shirley
2 Bradbury.

3 LOIS DUNN: Good evening, my name is
4 Lois Dunn, I'm from Grand Junction. I'm here on behalf
5 of about 650 members of the Grand Junction Area Realtors
6 Association.

7 We have followed this project with interest
8 and we've seen the diligence that has been pursued in
9 checking with the state regulators and trying to do the
10 very best they can in this process.

11 We have lived in Grand Junction where there
12 has been clean up in the past of uranium in the '50s.
13 And we have seen great strides that have been used now
14 to make sure that it's a safer process. Not all of you
15 feel the need for uranium to provide to the power
16 plants, but we also need the jobs, we're at ten percent
17 in Mesa County and I believe Montrose is even higher.
18 So we very much approve of this project and we think the
19 process has been a very diligent and conscientious
20 process. So we hope that you consider it.

21 Thank you very much.

22 JUDGE RICHARD J. BROWN: Thank you.

23 Bill Thompson.

24 BILL THOMPSON: I'm Bill Thompson,
25 I'm from Highlands Ranch, Colorado. And I was a

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1 geologist and worked in the Uravan area from 1977 until
2 1982, and in the last five years I've also been down
3 working in that area.

4 I would like to talk about the human aspect
5 of this decision. Obviously we could go through all the
6 science, but I think the science is pretty well
7 established.

8 And I would also like to talk a little bit
9 about vanadium, it's kind of a forgotten metal here.
10 It's a pretty green metal and in the presentation they
11 talked about the vanadium batteries and uses as an alloy
12 in steel mills.

13 As I said, I've worked in Uravan and one of
14 my biggest memory of that is the family atmosphere.
15 Every summer we had summer students who came in and
16 worked in the area, they worked in the mill doing odd
17 jobs. And they came back from college and they had a
18 summer job that they came to and worked and they went
19 off and got a college degree.

20 And as I said, I've worked in that area for
21 the last four, five years, and there's a hamburger joint
22 in Naturita, I don't know if you went into it, but it's
23 one of those little mom and pops places where you can
24 get a malt and they actually make in those stainless
25 steel cans. But if you go to that malt shop and

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1 hamburger stand and you look on the wall there's a bunch
2 of pictures of military people, boys and girls, marines,
3 navy, air force, army, you name it. And there's
4 graduation pictures, you know, and there's yellow
5 ribbons around them or they've written, you know, where
6 they are and, you know, we miss you, this or that. And
7 it's a pretty touching thing to see that, you know, the
8 options for young kids in Naturita isn't the same as
9 someone from the big city.

10 So I think we can do better than that. And
11 I would like to see those kids have a better chance.

12 Thank you very much.

13 JUDGE RICHARD J. BROWN: Thank you.

14 Audean. Audean Lanceman.

15 Noalani Terry.

16 NOALANI TERRY: My name is Noalani
17 Terry, I live in Montrose. I support the health and
18 safety of Southwest Colorado. I do not support the
19 uranium mill for the following reasons. Threats to
20 public health regardless of the so-called state of the
21 art measures. Threats to the air and water quality as
22 well as supplies of water maintained in a safe way.
23 Remember, millions of people live downstream from this
24 mill. Threats to wildlife, it's also a danger to human
25 health.

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1 There are doubts that Energy Fuels has the
2 funding to even build this mill, let alone remediate any
3 disaster that may occur. Although Energy Fuels' stock
4 has risen \$.23 per share it's still a small fraction of
5 what it was supposedly worth when this project was first
6 conceived several years ago.

7 If there were a real demand for the
8 products Energy Fuels says it wants to produce, West End
9 mines would be open and sending ore to Blanding, however
10 Blanding is no longer processing ore because it costs
11 them more to process it than they can sell it for.

12 So it seems like you should have a demand
13 for your product before you spend millions of dollars
14 taxpayer money for hearings and this stuff to produce
15 something that there doesn't seem to be a market for.

16 Thank you.

17 JUDGE RICHARD J. BROWN: Thank you.
18 William.

19 WILLIAM SHYER: Thank you, my name is
20 William Shyer, I live in Cedaredge, Colorado. Thank you
21 for letting me speak. I'll be very brief.

22 I used to work for Union Carbide at the big
23 mill in Uravan I was a chemist there, had an excellent
24 time, enjoyed my work and enjoyed the proficient and
25 efficient way in which it was done.

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1 I know there are a lot of different
2 viewpoints, but one thing I'll ask you to remember, to
3 generate electricity efficiently in the amount needed
4 you have to have sufficient reserve. There are only
5 four basic ways that can be done with present
6 technology. To generate electricity you have to have a
7 steady reserve, whether it be powered by hydropower,
8 coal-fired power plants, nuclear power plants or
9 coal-fired, whatever it is it has to have a steady
10 reserve or you cannot reach the peak demand necessary
11 for modern industrialized society. Most of us should
12 know this, but unfortunately, we get caught up in this
13 green power which cannot and will not meet much of the
14 future requirements.

15 We need this fuel and we need it now.
16 We're drastically short, we're right on the edge, and I
17 have been told, I don't want to bring up names of
18 electric power plants, but, or even utilities, but I've
19 told we are very close to the point of brownouts and
20 blackouts right here in Montrose and Delta right now.
21 Certainly within the next two years not 50 years from
22 now. I would suggest that we very carefully consider
23 this. I'm sure that people will do their best to make
24 it as safe as possible. We tried to do our best then,
25 and I'm sure they can do even better now. I don't see

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1 where we've done a great deal of damage to the
2 environment over the years.

3 Thank you very up for your time. Good
4 luck.

5 JUDGE RICHARD J. BROWN: Thank you.
6 Shirley.

7 While you're making your way to the mike
8 I'll call up the names of the next five speakers: Reed
9 Mitchell, Janet Johnson, Elizabeth Gibson, Betty Elder,
10 Matthew Burtis. And you folks can go ahead and begin
11 making your way down.

12 All right, Shirley, go ahead

13 SHIRLEY BRADBURY: Thank you. I'm
14 Shirley Bradbury, I own a business in Montrose and I
15 live in Olathe.

16 I'm opposed to the Pinon Ridge Uranium Mill
17 and the opening or reopening of uranium mining in
18 Western Montrose County. First, the state of Colorado
19 and its myriad of agencies do not have a strong record
20 for oversight enforcement of existing regulations that
21 should protect our air and our water and our health. I
22 think the Cotter Mill and Uravan are strong examples of
23 the failure to protect people. State regulations are
24 not strong enough nor enforced well enough to trust the
25 State to protect us from water contamination, air

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1 pollution and health hazards.

2 Second, I believe that there's not enough
3 being done to address what I consider an underlying
4 issue, which is a lack of viable jobs in the area that
5 would be served by the proposed mill. I've heard the
6 number of prospective jobs are listed in double digits.
7 Well, if I start looking at that, double digits could
8 mean ten jobs. That could be ten jobs in, in -- sorry.
9 Is the prospect of adding ten or 20 new jobs worth the
10 very real risk of damaging the water we all drink and
11 the air we breathe? We need to remember that more
12 people are affected than just those in Nucla, Naturita
13 and that area. We're all in this together. We should
14 support the effort of groups like the Telluride
15 Foundation and the Paradox Valley Sustainability to find
16 other job opportunities that don't risk our health and
17 our environment.

18 Thank you.

19 JUDGE RICHARD J. BROWN: Thank you.
20 Reed Mitchell.

21 REED MITCHELL: Judge Brown, members
22 of the CDPHE. My name is Reed Mitchell, I'm from Grand
23 Junction, I am formerly from Naturita. I have the
24 pleasure of knowing the leaders of the Energy Fuels
25 project, and as a matter of fact, I helped them locate

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1 the mill site, I'm a Realtor. So I have a lot of
2 history with them.

3 And I support them for a couple of reasons.
4 The way I intended to support this was to build a
5 residential housing project in Naturita to house the
6 employees of the mill site.

7 Secondly, I went over to Denver to contact
8 the Office of Economic Development and International
9 Trade for the state of Colorado. And the gentleman who
10 runs that is Don Marostica. And after visiting with us
11 and Energy Fuels Mr. Marostica on behalf of the Colorado
12 Department of Economic Development wrote this letter to
13 Governor Ritter, and I would like to read that into the
14 record.

15 Dear Governor Ritter:
16 Energy Fuels Resources submitted a
17 Radioactive Materials License application on November
18 18, 2009 to the Colorado Department of Public Health and
19 Environment for the proposed Pinon Ridge Mill. The mill
20 will process uranium/vanadium ores produced from local
21 mines, mostly located along the western Colorado and
22 Utah border.

23 The uranium will be used as fuel for
24 America's nuclear power plants. As you are aware the
25 expansion of nuclear power in the US and worldwide is

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1 considered by some to be part of the clean energy
2 initiative movement. The vanadium will be used as an
3 alloying agent for steel making, and potentially for the
4 manufacture of large-scale battery systems for storing
5 renewable energy.

6 The mill will be located in a remote area
7 about halfway between the communities of Naturita and
8 Bedrock, Colorado. This was historically a uranium and
9 vanadium producing area with several existing mines near
10 the proposed mill site, including a large open pit mine
11 immediately adjacent to the site.

12 The proposed mill will bring economic
13 growth to a particularly depressed and job-starved
14 region of the State. Western Montrose County has
15 experienced acute economic distress, not only during the
16 current recession, but for several decades. The area
17 has few local jobs, produces low tax revenues, and is
18 losing population. The few jobs that exist are mostly
19 government-related or low-paying service jobs working in
20 area markets, gas stations and convenience stores.

21 Mr. Marostica ended by telling the
22 governor, after meeting with company principals, the
23 Colorado Office of Economic Development and
24 International Trade support the construction and
25 operation of the Pinon Ridge Mill. In addition,

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1 assuming the mill is in full compliance with all
2 federal, state and local laws and the environment is
3 adequately protected, I urge you to do everything in
4 your power to make the process move as expeditiously as
5 possible through CDPHE.

6 Warmest regards, Don Marostica.
7 So I would like to present this to you
8 folks and have it entered into the record.
9 Thank you.

10 JUDGE RICHARD J. BROWN: Thank you.
11 And you can do that. And I might mention for the other
12 speakers, if you have a document that you want to make
13 part of the record of your speaking, that can be done
14 here and Mr. Tarlton will take that, and they will
15 become part of the record as well.

16 Janet Johnson.
17 JANET JOHNSON: I thank you for the
18 honor of being able to speak to you this evening. I
19 have much experience living in a town that has a uranium
20 mill. I've lived all my life in towns with uranium
21 mills except for three years when I went to college. My
22 brother worked two different summers with Union Carbide
23 at Uravan between law school terms and dying at 53 from
24 cardiopulmonary problems.
25 My cousin worked at the plant in Grand

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1 Junction when she was going to Mesa State College, then
2 she transferred to CU and worked at Rocky Flats. She
3 died when she was 43 years old.

4 I have cancer, as do many of my classmates
5 and many people I grew up with. I know the invasiveness
6 and the 4.5 million years that the effects of uranium
7 have, the life uranium lasts.

8 I know that you can't keep it out of the
9 water, out of the air or out of the things that we eat.
10 I'm asking you, CDPHE, to please consider, especially
11 the socio-economic impacts in the area that this will,
12 that this proposed mill will happen. Actually, it's an
13 area that has had no mining or milling for 30 years.

14 The DOE reports that we spent 120 million
15 dollars of our money to destroy the Union Carbide mill
16 at Uravan. There is still radioactivity out there, it's
17 no longer a usable area. We spent 86 million dollars to
18 destroy the mill at Naturita. In the DOE report we
19 still see it is leaking radioactive effluent into the
20 San Miguel River. I think that's significant when
21 you're talking about making six million dollars and
22 we're talking about 85 jobs. I think we can all do the
23 math on that.

24 I think we need to consider the jobs that
25 will be lost in the area because any socio-economic

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1 involvement, the interactions of the people of Colorado
2 socio-economically and environmentally will be felt and
3 how sustainable that is. This is an industry that is
4 not a sustainable industry. I ask that you consider
5 that. I ask that you also consider, there's a challenge
6 against all the uranium uses in the Uravan area right
7 now until the DOE does further study. And I ask you,
8 please, to uphold the Montrose County Commissioners'
9 restriction on alternate fees so this does not turn into
10 a radioactive waste dump.

11 JUDGE RICHARD J. BROWN: Thank you.
12 Elizabeth.

13 ELIZABETH GIBSON: Hi, my name is
14 Elizabeth Gibson and I've already submitted a written
15 report. I am in opposition to the proposed mill. I
16 live here in Montrose County. I work in the health care
17 field, and we are constantly looking at studies for
18 other safe practices. And there's a study out for
19 topics where you reside, and you have to be really
20 careful to look who's funding the study, where the
21 evidence comes from and how the study is put together to
22 find out really what are the facts and what has been
23 proposed, and the facts to support the person who is
24 presenting the study. And I think this is a similar
25 case here that you will hear a lot of information. I've

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1 read totally different figures from the same topic. And
2 it's your job to look out for the safety of our area to
3 really look at that and know which one's right.

4 I'm concerned about the public safety with
5 this proposed mill and I hope that you take the time,
6 not to just look at the best case scenario that's been
7 presented tonight, but also to prevent the worst case
8 scenario from happening.

9 Thank you.

10 JUDGE RICHARD J. BROWN: Thank you.
11 Betty.

12 BETTY ELDER: My name is Betty
13 Elder, I'm from San Miguel County, I've lived there all
14 my life. There are many concerns about the mining of
15 uranium. The fact is, yes, there are concerns about the
16 health of miners and also mining contributing to lung
17 damage. The problem with this kind of mining is also
18 found in construction, building as well as many other
19 fields. Lung damage happens to coal miners and in the
20 construction field. And the reality is it's the same
21 thing.

22 Our area needs something to change to bring
23 jobs back to our area. Recently construction companies
24 have been laying people off, cutting wages and hours
25 just to try keep going. If the Pinon Ridge Mill is

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1 approved it will help ease these problems by providing
2 jobs to people and also sustain construction companies
3 that are struggling.

4 I fear if this does not go through Norwood,
5 Nucla and Naturita will become ghost towns as people
6 leave to find jobs elsewhere.

7 Recently I read that more uranium is being
8 mined, that being the case, why don't we mine it and use
9 it for power now.

10 Thank you.

11 JUDGE RICHARD J. BROWN: Thank you.
12 Matthew.

13 And while Matthew is working his way down,
14 let me call out the next group of five: Dale Beede,
15 Chris Myers, Paul Szilagyi, Jacque Stafford and a group
16 name, I believe, Let's Make it Better.

17 Matthew.

18 MATTHEW BURTIS: My name is Matthew
19 Burtis, I'm with the pipe fitters union, and I represent
20 360 members here in Western Colorado. There is 3,000 of
21 us in the state of Colorado and 320,000 in the nation.
22 I've been asked by my membership and the general
23 president of the association to speak in favor of the
24 uranium mill.

25 This is more than just 85 jobs in the West

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1 End. The big picture for us is this is going to help
2 the whole industry for our 320,000 members,
3 electricians, iron workers, carpenters.

4 The rest of country might be at ten percent
5 unemployment, in the construction industry we're at 20
6 percent right now. We have a lot of people who have
7 been out of work for a long, long time. We have an
8 apprenticeship program for training young men in the
9 industrial trades, and this and that.

10 The rules and regulations that are put out
11 by the NRC seem and these guys are phenomenal. My
12 membership in the united association has full confidence
13 in Energy Fuels that this will be done right. We have
14 full confidence in you guys that you will make sure the
15 workers and the environment is protected.

16 I thank you for your time.

17 JUDGE RICHARD J. BROWN: Thank you.
18 Dale.

19 DALE BEEDE: My name is Dale Beede,
20 Mesa County. I'm a third generation of Western
21 Colorado. I'll be very brief.

22 I'm a partner in some land adjacent to
23 Naturita. My interest is solely for jobs in the area.
24 The recession has hit Western Colorado very hard, and
25 viable jobs would build an economy. These Energy Fuels

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1 jobs will boost the economy of the entire Western Slope,
2 and especially the Nucla and Naturita area. It's a
3 common sense project at a time our country needs it. I
4 support this project.
5 Thank you.
6 JUDGE RICHARD J. BROWN: Thank you.
7 Chris.
8 CHRIS MYERS: Thank you very much for
9 holding this public hearing, and thank you to the
10 Colorado Department of Public Health and Environment for
11 looking into this.
12 The question of whether to allow a uranium
13 mill in Paradox Valley, Montrose County is of national
14 significance. The reason. Because the uranium industry
15 has yet to have a long-term storage site for the
16 radioactive waste anywhere in the United States. Why?
17 No one wants the financial burden when things go bad,
18 the reputation that particularly comes with the
19 radioactive industry, or the associated health risks and
20 the loss of life in a community.
21 The Colorado Department of Public Health,
22 the decision you are making is perhaps the most
23 important and far-reaching decision you will make in
24 your lifetime. You're going to be deciding what sort of
25 legacy you will leave behind for the people of Colorado

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1 and the nation. Are you protecting the people of
2 Colorado, the citizens of Nucla, Naturita and the
3 residence of Paradox Valley? You're responsible for the
4 health, safety and welfare of the citizens of Colorado,
5 both today and into the future.
6 If you choose to approve this license, are
7 you personally prepared to guarantee the safety as to
8 future. It's said that those who cannot learn from
9 history are doomed to repeat. You have specific
10 responsibilities weighing upon your shoulders here.
11 I'm a town council member of the town of
12 Telluride, Colorado. I am here tonight to ask you to
13 hold more public hearings. Because of the significance
14 of this issue there is no way in three minutes I can
15 appeal to all the points of concerns that I wish to
16 share with you this evening. I know you're required to
17 hold only two public hearings and this is the second.
18 It is absolutely critical that the matter
19 of concerns of this issue that you do hold additional
20 public hearings so you can hear more from the regional
21 residents. There are many concerns. For instance, one
22 is the 75 million gallons per year use of water. Is
23 this an appropriate use of the water in Colorado. Is
24 not water the new gold rather than uranium in Colorado.
25 So is that an appropriate use in Montrose County.

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1 Secondly, last winter we experienced nine
2 serious dust events. With all do respect to the
3 geologist who spoke baout the erosion of the geologic
4 formation, I too studied geology, and when you're
5 putting uranium mills in a direct weather pattern and
6 dust events, you're looking at high concentrations of
7 uranium, not just simply broad landscapes of dust that
8 are going to be eroded and transported downstream.
9 We're 56 miles downwind from the proposed site.
10 Without a disposal site for uranium waste I
11 think it's irresponsible for us to proceed with the idea
12 of pursuing a license. And I would urge you to listen
13 more to the public and to hold more additional public
14 hearings so you can hear from people of the region.
15 Thank you.
16 JUDGE RICHARD J. BROWN: Thank you.
17 Paul.
18 PAUL SZILAGYI: Good evening, I'm
19 Paul Szilagyi with NUVEMCO, LLC. We're Colorado LLC
20 headquartered on Adams Street in Naturita.
21 As you can tell by my badge I'm here to
22 speak in support of the mill.
23 We are individuals, Colorado residence,
24 some of them have lived in Montrose County for over 80
25 years and have been involved in uranium. I am not that

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1 guy, in case you were wondering.
2 We've also brought in investments into
3 Colorado from other people who wish to see more nuclear
4 power for a lot of different reasons. But we've also
5 provided jobs here and would like to provide more.
6 We are the neighbors immediately to the
7 south of the Energy Fuels site. We have a number of
8 mines, we work there, we recreate there, we have a
9 Native American lodge that has ceremonies and has a
10 part-time resident. So we're counting on you to do your
11 jobs and make sure that this is safe. That it's in
12 accordance with the laws of this state.
13 And I'm here to encourage you, and remember
14 we all have goals to be served in our lives. And I
15 believe your job is to determine whether or not this is
16 a mill that meets the safety standards that we, as a
17 state, have set out.
18 While I have my own interest and my own
19 agenda, as everyone else does there, I would, again,
20 encourage you to follow this wonderful presentation that
21 was given on September 24 about what your role in this
22 process is.
23 I would also say from a common sense
24 perspective that I don't think there could be a more
25 appropriate site for a mill than the one selected here

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1 for the Pinon Ridge Mill. We're in the heart of the
2 Uravan Mineral Belt where God has chosen to deposit
3 great amounts of uranium and vanadium in our country
4 where the US Department of Energy has its reserves for
5 our country, which you're very familiar with.

6 You also have here a situation where you
7 have the benefit of how many cases of experience of the
8 uranium industry being in operation for many years. And
9 I would prefer to have that experience be applied to the
10 Pinon Ridge Mill site to enable to ensure that you're
11 not going to recreate the problems of the past and that
12 you're going to have state of the art protection in
13 place today because if we're not going to have a mill
14 site here in the United States, where is it going to be.
15 And I would submit that there is no better place to have
16 a mill with the regulations that exist here in Colorado,
17 with the experience that exists in Colorado, and with
18 the protection of workers that exists here. Because if
19 not here, the world is not going to give up using
20 energy, it's not going to give up nuclear power, and
21 we're going to be pushing this problem off to
22 somebody else who doesn't have the same standards as we
23 do.

24 I encourage you to follow the law, I
25 encourage you to use every bit of your talents in

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1 rendering this decision.
2 Thank you.

3 JUDGE RICHARD J. BROWN: Thank you.
4 Jacque.

5 JACQUE STAFFORD: Thank you. Jacque
6 Stafford, I live in Grand Junction.

7 Our family has been in uranium/vanadium
8 since the early 1900s. My father has the oldest mine in
9 the United States. He spoke to Madame Curie. Isn't it
10 strange that France has been using that power for a
11 century, or longer, and safely. And talking about waste
12 disposal, anyone in that industry knows that it can be
13 remanufactured and put right back in the power plant.
14 So there is less waste in nuclear power plants.

15 One of the things that I think we miss in
16 looking at this, Western Colorado particularly, and
17 anyone of you might be wise to go on a tour of our power
18 plant; hydro, coal, whatever you chose, do the whole
19 thing. Our power has to come from this area, and we do
20 not have the power in Western Colorado. This is a
21 serious shortage that we've got to address. And so
22 we're going to have to look at that.

23 Also when talking about jobs, there is 85
24 mill jobs mentioned and an additional 200 services jobs.
25 We all know that that's just the tip of the iceberg when

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1 we start opening an area up for jobs, there's always
2 other jobs that come into play when you open something
3 of that magnitude. We need the jobs, we need the
4 energy, we need the power to light our lights and keep
5 our refrigerators on.

6 I appreciate and know, I've watched them,
7 the Colorado Health Department, they're very diligent in
8 their rules and regulations. And I really encourage you
9 to give this your whole hearted effort. And I would
10 love to see it in that area. It's a good price. I
11 think it's one of the premier places that they could
12 pick.

13 Thank you.

14 JUDGE RICHARD J. BROWN: Thank you.
15 Adrian Geana.

16 And while you're working your way down
17 we'll call out another group of five; Bob Beverly,
18 Gayland Thompson, Zene Weimer, Mike Leidich, Michael
19 Saftier.

20 Go ahead.

21 ADRIAN GEANA: My name is Adrian
22 Geana. I'm against the mill in any form or shape, I'm
23 against uranium, against nuclear power, anything else.
24 It's a crime, period. So I would like to talk first
25 about the regulations. Many people here talk about

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1 regulations. Let's just see, one, we'll regulate the
2 jobs, correct. Is something wrong with regulations?
3 Yes, everything. Because businesses leave the United
4 States if we have too much regulation.

5 We regulate the health of our people. And
6 based on President Obama, we are the sickest. We have
7 the highest sickness of any country in the world. So
8 what is this regulation for. They don't trust us.

9 You know, to make a point, I'm coming from
10 a communist country. We didn't have regulations like
11 this. But the party line was all the time there. Here
12 what I sense myself, and this is why I'm so much
13 against, the party line is war. No one is stopping
14 uranium issues. Just recently the Iraqi Ministry of
15 Health is going to bring us, the United States in court
16 for using 2000 tons of uranium against their country.

17 The gentleman called Patrick, one of the
18 reasons we can't talk about it, in my mind, no one knows
19 the regulations. Yeah, I was privileged to have
20 vacation in the county jail because of Mr. John Mitchel,
21 Judge Mitchel.

22 And so we have plenty of time. We regulate
23 everything. And I'm going to tell you something else
24 that is happening in that jail. So if you are against
25 the government, the same like communists are doing, they

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1 put you in jail.

2 What is in our future? For approximately

3 two years I have sacrificed a lot of time and money to

4 search this bull shit, which is coming to us in

5 approximately 2012. I have the future map of the world.

6 People work on this for a long time. If uranium is

7 coming, in this map you can see the water is coming over

8 our area, it will cover all of this uranium tailing,

9 plus in that situation, only two or three of this so

10 proud of yourself, nuclear plant will explode, will

11 destroy the entire population of United States. This is

12 a threat.

13 JUDGE RICHARD J. BROWN: You need to

14 finish.

15 ADRIAN GEANA: Yes, sir. Give me

16 more seconds.

17 JUDGE RICHARD J. BROWN: I'll give

18 you a couple seconds.

19 ADRIAN GEANA: Thank you. So this is

20 what we have to work with, no uranium, no nuclear.

21 Period. I can supply this to you, explain more about

22 this.

23 Thank you.

24 JUDGE RICHARD J. BROWN: Thank you.

25 Bob Beverly.

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1 BOB BEVERLY: I'm Bob Beverly, I live

2 in Grand Junction, I've lived there 56 years and I'm a

3 retired chemical engineer. I worked 35 years in the

4 uranium industry. I was director of environmental and

5 radiation control for Union Carbide mining and metals

6 division. We operated over a hundred mines and seventy

7 milling operations, four in Colorado, one was in here in

8 Montrose County. I presented over 80 papers nationally

9 and internationally, over 20 in technical journals. Six

10 years of the chairman of the governors radiation

11 advisory committee, I was eight years of vice-chairman

12 of Colorado Air Quality Health Commission. So I am very

13 familiar with all of the subjects that are being brought

14 up tonight at this hearing.

15 I am very convinced to say that this mill

16 complex can be operated safely, not endanger any of the

17 employees, people that live around the mill or the

18 environment. I'm aware of the mining -- the miners,

19 they had problems some sixty years ago before the

20 problem was recognized, and some of the miners who

21 operated mines at a level of radon over 100 times what

22 they are leveled at now.

23 Dr. Sacomono of Grand Junction connected

24 radon to cigarette smoking. The miners that smoked

25 showed an increase in lung cancer compared to

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1 non-smoking. It was probably a good thing for miners

2 because about 75 percent of them quit smoking.

3 Regarding the milling operation, there were

4 very restrictive regulations in the NRC, more recently

5 taken over by the Colorado Department of Health, and

6 those regulations are even tougher today.

7 Regarding the surrounding environment, we

8 have a town of Uravan with over 600 inhabitants, it was

9 just across the river, the San Miguel River, and we

10 studied over there the water pollution, air pollution

11 and radiation control. We checked over a thousand

12 people that lived in Uravan, did they have any health

13 effects, did they have any -- what did they die of when

14 they died? We could not find one single person where

15 the health effects could be attributed to the milling

16 operation.

17 This is going to provide a lot of jobs. We

18 need not one more uranium mill but about 20 so that we

19 will have enough energy as nuclear power expands and

20 expands.

21 JUDGE RICHARD J. BROWN: If you could

22 finish up quickly.

23 BOB BEVERLY: Thank you. I would not

24 hesitate raising my family right across the fence line

25 from a uranium mill or a nuclear power plant. I'm

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1 convinced they're safe.

2 Thank you.

3 JUDGE RICHARD J. BROWN: Thank you.

4 Gayland.

5 GAYLAND THOMPSON: Thanks for the

6 opportunity to speak. My name is Gayland Thompson, I

7 was born here in Montrose and raised in Nucla. My

8 grandfather and father both worked for Vanadium

9 Corporation of America in Naturita.

10 In addition, my father leased and operated

11 several uranium mines, so I grew up around mines and

12 mills. When I was old enough I helped him work in

13 several of the mines until mining slowed down.

14 I joined the Navy and was stationed on a

15 ship in a battle group. It was amazing for me to find

16 out that all these ships in the battle group, including

17 the carrier, had to be refueled every 25 days. We

18 finally got an escort from the USS Enterprise, which was

19 a nuclear powered carrier. She had enough fuel for her

20 escort ship to go around the world and not ever worry

21 about having to be refueled. This amount would be well

22 over a million gallons that she carried. This is just

23 an example of how efficient nuclear power is. In the

24 Navy a small ship, like the destroyer Arizona, could

25 burn up to 10,000 gallons fuel an hour at full power.

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1 I retired from the Navy in 1994 and am
2 currently an electrical contractor in the West End. We
3 do most of our work there, although right now it's slow.
4 We have high hopes the uranium mill will bring more
5 construction in the area.

6 Remember the 1960s, the average electrical
7 service to a house, to a new house, was about 50 amps,
8 this has grown to a hundred amps, and 200 amps now for a
9 three-bedroom residential home, and some of the larger
10 homes in the mountains around us are 400 amps and even
11 higher.

12 The 2008 Electrical Code compared to the
13 2005 Electrical Code had 2900 changes in it. With the
14 increased rules and regulation and the growing demand
15 for power, the need for nuclear power expands every day.
16 It makes sense to build the uranium mill here where
17 uranium has always been mined and milled.

18 I support Energy Fuels building the Pinon
19 Ridge Mill.

20 JUDGE RICHARD J. BROWN: Thank you.
21 Zene Weimer.

22 ZENE WEIMER: My name is Zene Weimer,
23 it's Z-e-n-e. I've been a resident of West End Montrose
24 County for 65 years. I support the Pinon Ridge Mill
25 fully.

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1 Weimer Ranches first started in the West
2 End in 1897, and we've cattle ranched in and around the
3 West End mill, the Uravan mill. Our permits run from
4 Gateway back into Tabeguache and clear across the basin.
5 We run above the Pinon Ridge Mill on Davis Mesa, Wild
6 Deer Mesa, Monogram Mesa.

7 In 1970 we purchased lots of land down
8 there along with the AUM permits from the BLM. And we
9 were asked by Zach Croft, the superintendent of Union
10 Carbide to send in 20 pounds of beef that was raised on
11 the BLM leases and to be processed to see if there was
12 any contamination or any ill-effect of the meat. And we
13 had no reactors whatsoever. This went on for like 15
14 years until probably '83 or '85 when they quit asking
15 for samples.

16 But as Weimer Ranches we do support the
17 mill and will back Pinon Ridge Mill.

18 Thank you.

19 JUDGE RICHARD J. BROWN: Mike.
20 DONALD LINKMARK: My name is Mike
21 Leidich. I'm with a company called Royal USA, Inc.,
22 we're involved in mineral exploration and development of
23 mines in United States. Involved with two joint
24 ventures with Energy Fuels, and I would just like to add
25 that I've been involved in mining for about 35 years,

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1 and they're one of the best companies I've ever worked
2 with, both in their honesty and their knowledge.

3 But going back, you know, the nuclear, the
4 nuclear industry starting back in the '50s and '60s,
5 there was basically a uranium rush similar to a gold
6 rush and there was not a lot of, you know, thought of
7 safety and efficiency put into that. And a lot of
8 things weren't done right. And I'm sure you guys have
9 seen that more than, you know, most people. And as most
10 industries over time, they've improved and the
11 technology gets better and we had, we've had a hiatus of
12 almost 30 years here where there's not building of any
13 new mills.

14 Now we have an opportunity to build a mill,
15 a state of the art mill. And I'm sure that, again, you
16 guys know much more about what to do right now than was
17 ever done before. And, you know, through the tenacity
18 and the addition of Energy Fuels, they've decided, and
19 have gone in to do this and it's not -- I don't think --
20 it's not going to stay the same. They took the bull by
21 the horns and have been going full speed here, and from
22 everything we've seen, they're doing everything right.
23 And I can't see anything going wrong there, you know,
24 with them following through.

25 With the, with the completion of this mill

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1 we will not only reduce our dependency on foreign fuels
2 but will also improve the industry as a whole. And like
3 it was said earlier, I would love to see a whole bunch
4 more new mills and we'd have an improvement industry.

5 Thank you.

6 JUDGE RICHARD J. BROWN: Thank you.
7 Michael. And we're going to take a break after Michael
8 and then I'll call out the next five people.

9 MICHAEL SAFTIER: My name is Michael
10 Saftier, I live in the Telluride area and I own a
11 business up in the Paonia area.

12 Just for your reference, France was
13 mentioned this evening and they are having problems with
14 their nuclear plants at this time and had to close some
15 down, at least one of them.

16 It was also mentioned we can reprocess
17 fuels. We just have a need for new sources. Also the
18 Cotter Mill by Canon City is having problems right now
19 with, with health of the neighbors in that region.

20 As far as I can tell, the Colorado
21 Department of Public Health and Environment is acting in
22 a cavalier manner in the approach its taking in
23 protecting the Four Corners region. The only defense of
24 this project is the possible creation of a few jobs that
25 will negatively affect the health and the environment of

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1 thousand of people and hundreds of square miles for
2 millions of years.

3 I have heard the claim that no one has ever
4 died due to exposure to uranium. I have heard
5 unsubstantiated promises that this facility is going to
6 be state of the art and therefore safe. I have heard
7 promises that monitoring will take place to make sure
8 that the air and the water are not contaminated, but
9 these are hollow assertions. They protect and guarantee
10 nothing. Uranium was and still is unsafe.

11 Where is the proof that a safe method
12 exists for milling radioactive materials. There is
13 none. In fact, the commonly held belief across the
14 entire country is that not only is it not safe, but it
15 is so disease causing and life-threatening that no
16 community has allowed a new mill to be opened within
17 their boundaries in over 25 years. The public concerned
18 citizenry, and government, have requested that further
19 studies be performed, and the CDPHE ignored these
20 requests and declared that the application is complete.
21 We need a lengthy public process but not more meetings.

22 Even the best analysis has concluded that
23 available plans are inadequate to contain radioactive
24 waste. Even the devil may care state of Nevada does not
25 want to accept the byproduct of this ignominious process

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1 that you are considering approving. You don't have the
2 answer for the radioactive waste, and you know it.
3 Unless and until that answer is in place, you have a
4 fiduciary responsibility to the citizens to not allow
5 more radioactive waste be introduced into the
6 environment.

7 Thank you.

8 JUDGE RICHARD J. BROWN: Thank you.

9 We're going to break for about ten minutes
10 and then we'll come back. Let me call out the next five
11 people for after the break. Diane Schwenke, Ann Hayes,
12 Tom Sylvester, David Cox, Stu Krebs.

13 Thank you.

14 (A recess was taken from 7:36 p.m.
15 until 7:52 p.m.)

16 JUDGE RICHARD J. BROWN: All right,
17 we're ready to begin. So will everybody come in and
18 have a seat quickly and quietly, or if you're going to
19 continue talking, go ahead and go in the foyer and that
20 would be just fine. We're going to begin with the first
21 speaker now. Diane.

22 DIANE SCHWENKE: Thank you. Thank
23 you for the opportunity to speak to you tonight.

24 My name is Diane Schwenke, I am the
25 president and CEO of the Grand Junction Area Chamber of

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1 Commerce. And our organization actually has passed a
2 resolution in support of this license application, and I
3 have some comments, and then I'm going to go ahead and
4 read it to you.

5 We support this for a number of reasons.
6 Obviously as an organization representing 1100
7 businesses and over 30,000 employees from Western
8 Colorado we are concerned about the economy and think
9 that there are some major benefits in connection with
10 this project with not just the 85 rather high paying
11 jobs associated with the mill, but also the mining jobs,
12 the 200 that work on line. And then there's the
13 potential, keep in mind this has a potential for a 50
14 year life. So we see major economic benefits.

15 But it's not just for that reason, we also
16 have policy guidelines and are active in a number of
17 efficacy arenas representing the voice of business. And
18 we spend a lot of time looking at a lot of various
19 energy sources. We have regular energy briefings, we
20 educate ourselves on those issues. We are concerned
21 that the demand for power is outstripping our current
22 sources. We are supportive of the entire portfolio of
23 energy resources and the development of those resources,
24 and, hey, they do include fuel, they do include coal,
25 they do include natural gases, and they include uranium.

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1 And I would agree with the previous speaker
2 who said this has a potential for having national
3 significance. President Obama in the State of the Union
4 address actually indicated that nuclear power was going
5 to be one of the ways that we were going to power the
6 country in the future. And in order to do that, we're
7 going to need uranium, and we're going to need uranium
8 mills.

9 So on behalf of the Grand Junction Area
10 Chamber of Commerce, we urge you to act favorably on
11 this license application.

12 Thank you.

13 JUDGE RICHARD J. BROWN: Thank you.
14 Ann.

15 ANN HAYES: Good evening, I'm Ann
16 Hayes, I'm from Grand Junction. And I'm speaking in
17 support of the Pinon Ridge Mill for many reasons. The
18 economy of the Western Slope depends on the use of our
19 natural resources, agriculture, recreation and tourism.
20 Without an economy, recreation and tourism cannot
21 support our Western Slope area by itself. We have to
22 look at all of the viable sources that can contribute to
23 the economy, and uranium is one of them.

24 A lot of people I know are scared of the
25 word. My husband, who was a Colorado native from a

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1 pioneer family is also a 23 and a half year veteran of
2 the US Navy. The biggest part of his career was served
3 on nuclear submarines. They submerged for up to six
4 months at a time. Those men are encapsulated within
5 that submarine with that nuclear power plant for all of
6 that time. They do not surface. They do exchange air.
7 They make their own water out of salt water. He is
8 walking around, he's a very healthy man, as are the
9 majority of the young men who served in the same
10 capacity as him.

11 We need nuclear power, not only for the
12 generation of power plants, we need it for our US
13 fleets. Think of all the US submarines out there which
14 are now all nuclear. Nuclear aircraft carriers, nuclear
15 support ships. This a viable entity that we have to
16 carefully, and with good judgment, all to move forward
17 using the technology available and safety standards that
18 have been established.

19 I ask you to seriously consider this
20 application, not only for the people of Colorado, but
21 for the defense of our country.

22 Thank you.

23 JUDGE RICHARD J. BROWN: Thank you.

24 Tom.

25 TOM SYLVESTER: I'm Tom Sylvester

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1 from Grand Junction, Colorado. I'm a professional
2 engineer, professional landscaper licensed in the State
3 of Colorado with over 40 years of experience in the
4 mineral industry, engineering and surveying.

5 You folks have an awesome responsibility
6 ensuring the safety, health and welfare of the citizens
7 of Colorado. Welfare has an equal footing with health
8 and safety. I am hungry. We need jobs. We need to
9 move our country so that it forms energy independence.
10 We need to encourage clean energy, and it can be done
11 safely. With your help and oversight, you can ensure
12 that we achieve all of the above. Please approve the
13 Pinon Ridge Mill license.

14 JUDGE RICHARD J. BROWN: Thank you.

15 David.

16 DAVID COX: Hello, my name is David
17 Cox and I have a peach farm in Palisade, as well as a
18 candidate for House District 54. I am seeking the
19 Republican nomination.

20 And I'm here to speak in favor of the mill.
21 I think that it makes sense on numerous different
22 levels, but the main one is the economy. And each job
23 that will be brought to our area by the Pinon Ridge Mill
24 are going to foster the economic growth that we are now
25 seeing decrease and the problems associated with that.

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1 And, secondly, the objections that have
2 been brought against nuclear energy are spurious at best
3 and based on a biased standard point. I feel that the
4 objective perspective on this is that, yes, there are
5 health things associated with uranium mining, but so are
6 there public dangers associated with all kinds of our
7 occupations that we endeavor to do in order to do to
8 support ourselves.

9 So I urge you to do the right thing for
10 national security, for the economy and approve this
11 mine.

12 Thank you.

13 JUDGE RICHARD J. BROWN: Thank you.

14 Stu.

15 And while Stu is making his way up, let me
16 call out the names of the next five speakers. Karen
17 Sjoberg. Fran Didier. Jim Riddell, David Davia,
18 Terrence Esch.

19 STU KREBS: My name is Stu Krebs, I
20 live here outside of Montrose. There are a lot of
21 issues in the air tonight, but I would like to go back
22 to the last point that was made in the presentation by
23 Pinon Ridge, and I think the second speaker brought it
24 up a time or two since, and that is the basic reason for
25 this mill. It's generation of electricity by nuclear

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1 power.

2 Just a few minutes ago in my car I heard on
3 the radio President Barack Obama singing the praises of
4 nuclear power and committing 8.3 billion dollars for
5 this program. I'm sorry, but Barack Obama is wrong.
6 First of all, 8.3 billion is not nearly enough for a
7 nuclear power plant.

8 Realistic estimates are between 10 and 12
9 billion for a single plant. He mentioned that it's been
10 over, or almost, I guess, 30 years since the last plant
11 was built. Free market capitalism would not touch
12 nuclear power with a ten-foot pole. No nuclear power
13 plant in the world has been built without massive
14 government subsidy.

15 The 30 years that have passed since the
16 last plant was built emphasizes the fact that nuclear
17 power plants don't work financially. If we were going
18 to commit ourselves to a program of many nuclear power
19 plants, the bailouts that we saw on Wall Street are
20 going to pale in comparison.

21 If we have the money, and I think there's
22 been lots of discussion here tonight, and in the nation
23 generally for some time, some of it a little heated,
24 about debt, deficits, future generations, nuclear power
25 simply is not in the cards for us, we will build a house

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1 of cards if we go down that road. It's not honest, it's
2 not fair, and it's old school. We've heard speaker
3 after speaker tonight looking at this mill and nuclear
4 power for economic salvation. This is not where it is.
5 And I don't think it was fair to let people start down
6 this road. Here in Western Colorado there's an outfit
7 called the Rocky Mountain Institute, a fellow named
8 Emery Levins has been looking at this for over 30 years.
9 I would really urge the department to contact them and
10 help them and let them help you put this in financial
11 perspective.

12 Thank you.

13 JUDGE RICHARD J. BROWN: Thank you.
14 Karen.

15 KAREN SJOBERG: Thank you. My name
16 is Karen Sjoberg, I'm representing Grand Valley Peace
17 and Justice out of Grand Junction.

18 We believe that if the mill becomes a
19 reality it has the potential to have a huge, long-term
20 impact on people, wildlife, the economy and the
21 environment. A preliminary socio-economic report from
22 the Sedora Institute was given to the Montrose County
23 Commissioners when they were planning whether to approve
24 the special use permit for the mill.

25 The report talks about measurable negative

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1 impact to the region, a large part due to the boom pull,
2 boom and bust nature of any mining industry, which
3 includes uranium.

4 The people of Grand Junction right now are
5 experiencing negative social impact that comes from
6 being in the epicenter of the recent oil and gas
7 extraction boom. Those impacts include a large influx
8 of workers from all over the country who arrive when
9 they heard there were lots of good paying jobs in Grand
10 Junction. Some found work, others ended up unemployed
11 and away from home.

12 When the natural gas industry scaled down
13 operations for a variety of reasons, many lost their
14 job, and many found themselves in line at the soup
15 kitchen, and even homeless. Not just men, but their
16 families.

17 Another impact of the boom and bust economy
18 was that many home businesses lost their top employees
19 because they were lured to a lucrative job offer at
20 drilling time. Turnover of these small businesses
21 became a fact of life as the business owners were unable
22 to replace these top employees, many in management
23 positions that were lost to the higher paying offers.

24 We feel that Energy Fuels socio-economic
25 analysis in its application is inadequate. We ask that

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1 you consider the long-term effect of what is being
2 proposed here. An independent analysis that measures an
3 accumulative regional impasse is much needed before a
4 decision about this proposal is made.

5 Thank you.

6 JUDGE RICHARD J. BROWN: Thank you.
7 Fran.

8 FRAN DIDIER: Thank you for hearing
9 us tonight. My name is Fran Didier and I'm from Grand
10 Junction and I am opposing the mill.

11 A picture was uncovered very long ago all
12 the over world, a total of 35 years ago, this planet was
13 not prepared to handle nuclear energy. But we were to
14 learn how to use it so that it could be taken to another
15 planet where it is supposed be used. And uranium will
16 be a significant product there.

17 The proof of that are the experiences that
18 we already know, Three Mile Island, bomb testing,
19 nuclear weapons testing, safety problems on the French
20 design. Risk with prolonged high temperature on the
21 French design. An island where weapons testing is
22 killing people everyday.

23 The mill will impact another thing of mine,
24 bird watching and the one that I'm concerned about is
25 the Gunnison sage grouse, that territory will be

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1 affected. And it's a very, very unique species, and as
2 every bird watcher knows, there will be other species.

3 I would like to empathize with all people
4 tonight who have been pleading for jobs. I have two
5 children, three children out of jobs, so I empathize
6 with that. But I have three concerns with regard to
7 that. The first is, will the jobs coming in here end up
8 paying for clean up forty years from now, as we are in
9 Grand Junction on main street right now. We can't even
10 pay because the city doesn't have the money to get rid
11 of our radioactivity.

12 So what do we do? We let -- the city
13 can't -- it wants to get rid of it, they're begging them
14 to get rid of it, but the city says, oh, no. We'll
15 choose this area and this area and this area, but we'll
16 have to leave the rest there. Are you going to want
17 this industry? I don't know that I want it.

18 Will Energy Fuels keep pushing to try to
19 bring in alternate fuels. I was at one of these other
20 testimonies and at the end of the night I heard them
21 bring it up again. We want alternate fuels. Which will
22 make Paradox and Nucla a waste dump, a sacrifice dump.
23 We have already done that in a number of places around
24 this area.

25 One more thing. The tourism industry,

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1 which has been mentioned two or three times today,
2 especially with regard to Gateway. I talked to a guy
3 who said who's going to want to come and climb these
4 beautiful mountains in Gateway when they hear there's a
5 uranium mill.
6 Thank you.
7 JUDGE RICHARD J. BROWN: Thank you.
8 Jim.
9 JIM RIDDELL: Hi, Jim Riddell, and I
10 live about ten miles south of here. And a lot of people
11 give their credentials. I can say I was a physicist
12 working in nuclear radiation effects in the past. I can
13 also mention that my brother died at age 26 when he was
14 a strong, young man of leukemia, a death very similar to
15 what people go through with AIDS. And I don't know why
16 he got leukemia, but it is an odd coincidence that he
17 spent ten years down wind of the Hanford nuclear
18 reactor.
19 I, I -- the appeal of this thing, I
20 understand. You know, I watched Energy Fuels'
21 presentation, and it's very impressive. There's a lot
22 of things to like about this project. But as Paul
23 Harvey used to say, what about the rest of the story.
24 And it's the rest of story that I'm concerned about. I
25 could support this, I think maybe, if I believed that

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1 these jobs really would happen. I could maybe support
2 it if there were other economic development unavailable
3 and that the other economic development wouldn't be
4 harmed by the presence of the nuclear, or the uranium
5 mill.
6 I could maybe support this if I could see
7 there really is plenty of water for a process that uses
8 huge amounts of water. And that the water quality of
9 the other water in the area would not be harmed.
10 Financial viability. I'm not convinced
11 that this project is really financially viable. We've
12 heard about the boom and bust cycle. If you could tell
13 me that's not going to happen again, but the fact that
14 it happens all over, everywhere else in these kinds of
15 cases. Maybe I could go along with air quality, sending
16 uranium materials off to foreign countries, long-term
17 storage, the list goes on and on.
18 These are just way too many ifs for me.
19 All of them are not settled, as far as I'm concerned.
20 And I know that a big part of your job is how to
21 reconcile all these ifs. I don't think you can do it.
22 The jobs are not likely to be consistent. There's boom
23 and bust. My understanding is that financially right
24 now they couldn't operate. If it was up and running it
25 wouldn't be running because the of price uranium is too

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1 low.
2 There's 12 million dollars of payroll for
3 these jobs they're supposed to be creating, and about
4 another 12 million dollars for the return of investment
5 for investors. I don't believe the dollars are going to
6 be there. I don't believe that the safety is going to
7 be there. And I think there are a ton of better ways to
8 bring development to the West End of Montrose County,
9 and I'd like to help work on some of those.
10 Thank you for your consideration of all
11 these things.
12 JUDGE RICHARD J. BROWN: Thank you.
13 David.
14 DAVID DAVIA: Good evening, Judge and
15 members of the Colorado Department of Health. We are
16 here on behalf of, I am executive director for the
17 Colorado Association of Mechanical and Plumbing
18 Contractors. Essentially anything with a hole in it, we
19 install. And I'm also here to speak on behalf of the
20 Association of General Contractors of Colorado, the
21 Sheet Metal Association, the Colorado Chapter and Rocky
22 Mountain Chapter of the National Electrical Contractors
23 Association, i.e., we're in construction.
24 I hold in my hand an economic impact study
25 that was done by Colorado State University. You've

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1 heard things from the mining side, you've heard things
2 from a retail perspective, but I'll offer you the
3 construction's perspective. For every million dollars
4 that is spent in constructing the facility it returns
5 two and half times to the local economy, it creates 24
6 new jobs. That's fact, not opinion.
7 And I submit to you that the contractors
8 that we represent collectively, about 750 contractors,
9 employees about 15 to 20,000 folks, many of whom call
10 Western Colorado and mountain communities home, these
11 same people who will be coming here to the southwest
12 part of the state to help construct this.
13 We are very much in favor and support
14 Energy Fuels requests to get an application and we know
15 and understand and appreciate the, as someone else said
16 tonight, the awesome responsibility.
17 I am liking tonight, maybe not tit for tat,
18 to like being on council listening to the proposal to
19 build a Wal-Mart in the city that I serve on council.
20 And usually there's one side or another, there's no gray
21 area, and that's what task you all have to sort out.
22 Public policy is there and available for your, for your
23 review. There are facts and opinions that are out
24 there, but I will just submit to you that this is a good
25 project, good jobs and it will help our local economy.

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1 I will also say on a personal level, and
2 it's been a while since I've been in front of you, but I
3 used to work on the Rocky Flats Advisory Board that gave
4 input to Mr. Tarlton and Gunderson on how that cleanup
5 should happen, what it should look like and what people
6 in the community, one of which I served on city council
7 for, really looked to the state to help us to pass.
8 Sure, we made mistakes 30, 40 years ago, but public
9 policy and innovation have come so fast. And the
10 technology, there's far smarter people than myself, that
11 would help build this facility and maintain standards,
12 protect safety, water, air quality. I can tell you
13 there's a little mouse on Rocky Flats called the pebble
14 mouse, and CDPHE spent an enormous amount of time caring
15 for those animals.
16 We know you can do it, we're here to help
17 and, please, we would support the quest of Energy Fuels.
18 Thank you very much.
19 JUDGE RICHARD J. BROWN: Thank you.
20 Terence.
21 And again, while Terence is working his way
22 up, let me call out the names of the next five speakers.
23 Ashley Boling, Holly von Helms, David Cale, Dennis
24 Olmstead, Steve Hale.
25 Terry.

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1 TERENCE ESCH: Good evening, my name
2 is Terry Esch, small business owner in Norwood and
3 Naturita. Also the president of the Norwood Chamber of
4 Commerce.
5 And on this reality, we are not a tourism
6 economy to have that -- make us survive. As much as we
7 love the farmers, it doesn't produce. We need
8 construction. Segue.
9 We have an opportunity for immediate growth
10 in the construction segment as well as long-term
11 economic stability if the Energy Fuels application is
12 approved. Four to 500 construction workers to be
13 employed for almost a year to erect and build. The
14 number of jobs we've already talked about that the mill
15 will hire. Energy Fuels will provide up to 20 million
16 dollars of direct payroll to the West End. Immediate
17 long-term financial impact to businesses from Grand
18 Junction to Cortez have been discussed.
19 People once again will move to our
20 communities. There will be growth in the school
21 population. Additional revenue streams will enhance the
22 education of our youth. Existing operations in Naturita
23 and Norwood will reap the benefits of a population with
24 a steady income. Demands to create service sector
25 businesses. Growth in the real estate sector to meet

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1 housing needs.
2 This is a stimulus program without
3 government funding, imagine that. A jobs creation
4 without our federal bill being taxed. This is a tax
5 increase benefit based on private industry paying its
6 fair share to Montrose County, San Miguel County and
7 all. The mill will supply jobs immediately, and most
8 importantly, provide future for generations of the young
9 people in the West End. The quality of lifestyle will
10 improve the value of real estate going up. A real sense
11 of loyalty and job security will be enhanced. The mill
12 is not a boom and bust to economics. It's a well
13 planned, well built, secure facility that will bring
14 employment for the long-term.
15 We strongly encourage the state approve the
16 permit for Pinon Ridge.
17 Thank you.
18 JUDGE RICHARD J. BROWN: Thank you.
19 Ashley.
20 ASHLEY BOLING: My name is Ashley
21 Boling, I live in San Miguel County. And I don't have a
22 prepared speech, I don't have anything written, I don't
23 have a letter, I don't have anything to give to the
24 members of the Colorado Department of Public Health and
25 Environment.

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1 I'm married, my wife and I have a seven
2 year old son who was born in Montrose Memorial Hospital.
3 I'm very concerned about the health, safety and welfare.
4 I oppose the proposed Pinon Ridge uranium mill because I
5 am not convinced about proposed risks in building such a
6 facility.
7 If someone could convince me beyond a
8 shadow of a doubt that my son, my wife, myself, everyone
9 in this room, because we are all in this together, will
10 be safe and we will live long, productive lives, I will
11 listen. I have searched the Internet, I've read books,
12 I've talked with people, and I have yet to find one
13 uranium mine or one uranium mill on our planet that has
14 a one hundred percent safety record.
15 I can't in my heart of hearts look myself
16 in the mirror, kiss my wife and son good night at night
17 knowing there is a risk to our life in San Miguel
18 County, or Montrose County, or the Rocky Mountain West
19 or the United States of America or our planet.
20 And I'm speaking from the heart because I
21 care. I'm a concerned citizen, I'm not a scientist, I'm
22 not a geologist. I have never seen an operational
23 uranium mill, I have seen uranium mining clean up
24 operations in progress. But I'm not convinced beyond a
25 shadow of a doubt that this is a good idea. And quite

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1 to the contrary, in my heart of hearts, I believe this
2 is a bad idea.

3 I'm all in favor of creating jobs. I'm all
4 in favor of stimulating the economy. I'm unemployed. I
5 know what it means to need jobs. And I empathize and I
6 feel that you need jobs. And that is a real concern.
7 And I don't mention that lightly. And I care about my
8 neighbors and I care about myself. But I don't think
9 that the health and environment risks that are apparent
10 should be swept under a carpet because people see a
11 dollar hanging in front of their eyes.

12 Some feel there's a concern, I hope you're
13 concerned as well. And I know that everyone in this
14 room is concerned and passionate. Let's make a good
15 decision.

16 Thank you.

17 JUDGE RICHARD J. BROWN: Thank you.
18 Holly.

19 HOLLY VON HELMS: My name is Holly
20 von Helms, I too am speaking from the heart. How many
21 times have we been promised that things have changed.
22 Safety is foremost in the minds of those who would
23 ultimately put our lives in jeopardy. How many times
24 have we fallen for the sales pitch only to find out too
25 late that it was all bunk. Our water becomes fouled,

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1 our air becomes polluted, our soil becomes contaminated,
2 life as we knew it no longer exists.

3 I don't want to take a chance on their
4 breaking their promises. My sense is they don't really
5 care about clean water or air in the Pinon Ridge Mill.
6 Their bottom line is the almighty dollar. They couldn't
7 care less about you and me.

8 I know the West End needs jobs, but how
9 badly. Is it really worth jeopardizing the health of
10 the entire county for generations to come. I don't
11 think so.

12 I brought with me two ads I cut out of the
13 newspaper. Attention former uranium millers, miners and
14 haulers. The other one is entitled uranium workers.
15 One says, have you been approved for free in-home
16 medical treatment, et cetera, et cetera. The other one,
17 have you received the energy program \$150,000 lump sum.
18 You may also qualify for free medical benefits,
19 including home care.

20 If, in fact, nobody from the Uravan Mine
21 has been affected as adversely by working that closely
22 with that mineral, why are these ads in our paper
23 requesting that former uranium workers come and take
24 advantage of these home treatments. They obviously are
25 not able get out on their own.

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1 Also somebody said that nobody here has
2 been affected. I personally know a gentleman who has
3 cardiorespiratory problems from working in the Uravan
4 mine, and I know him directly, it's not hearsay.

5 We also moved here from Boulder, very close
6 to Rocky Flats. I can't tell you how many people we
7 know of there who have either died from cancer or are
8 currently suffering from cancer. So uranium is truly a
9 problem to deal with.

10 Thank you.

11 JUDGE RICHARD J. BROWN: Thank you.
12 David.

13 DAVID CALE: Hi, my name is David
14 Cale and I'm from Grand junction.

15 I've heard a lot talk tonight about energy
16 shortages, we can adapt, and one thing that has been
17 glaringly absent is the number one solution to that in
18 the most immediate future, and that's the efficient use
19 of energy to reduce our demand and we can do something
20 about that and, you know, much, much faster than
21 nuclear.

22 The final stages of the Montrose County
23 Commissioners' resolution to grant a special use permit
24 to Energy Fuels Resources Corporation reads as follows:
25 The proposed special use application subject to

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1 conditions set hereto is found to be in the best
2 interest and health and safety and welfare of the
3 citizens of Montrose County.

4 The intent of this meeting tonight is not
5 to retract the decision made by the Montrose County
6 Commissioners in the best interest of the Montrose
7 County citizens, it's to look towards the next step of
8 this process which is in the hands of the CDPHE, it's a
9 public agency whose primary responsibility is to safely
10 guard the public interest and the health and the
11 environment of Colorado communities.

12 The public expects that CDPHE is acting in
13 the best interest of the public and not that of Energy
14 Fuels or some political agenda. CDPHE's approval of
15 Energy Fuels' application to establish capital venture
16 should not be contingent upon the community's need for
17 tax revenue or jobs or for the uncertain energy future.
18 I don't see it as CDPHE's job to create jobs for the
19 community, and I don't see it as CDPHE's job to
20 determine whatever the future is going to be in this
21 country.

22 Approval should be premised on the notion
23 that a company's wishes to operate here will be granted
24 without unnecessary risk or harm to the community, or to
25 neighboring communities, or to the health of the

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1 citizens of the communities, and without degradation or
2 reduce the ability of the environment to sustain a
3 healthy community.

4 The fact that there is a now a bill before
5 the Colorado legislature, the Uranium Process and
6 Accountability Act screams that there are risks and
7 issues that have not yet been accounted for.

8 Is a forthcoming decision going to take
9 into account the uncertainties, not just that of the
10 environment or health, but our collective ability to
11 avoid all the Earth's disasters of the past. As CDPHE
12 considers this application and all its consequences, as
13 you do, don't for a moment forget the obligation to the
14 citizens or the obligations to engage in public
15 participation. Don't overestimate the ability of CDPHE,
16 Energy Fuels, or the ability of any other agencies and
17 oversight, individually or collectively, to monitor and
18 enforce all the contingencies and safety gauges, don't
19 leave questions unanswered that will make this venture
20 another experiment with the American public and
21 wildlife. And most of all, please be certain that you
22 are not creating a burden of debt for future generations
23 to pay.

24 JUDGE RICHARD J. BROWN: Thank you.
25 Dennis.

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1 DENNIS OLMSTEAD: Good evening, I'm
2 Dennis Olmstead, I live in Montrose about two blocks
3 from here. I have an MBA and tend to use numbers to
4 reach conclusions.

5 Do you remember last spring when our sky
6 was red, it was Utah's blowing dirt. There was enough
7 dust in our homes to be able to sweep it up with a
8 broom. It's no secret we are downwind from Utah and the
9 West End.

10 There is also no doubt we are facing
11 difficult economic times. Home construction, Realtor
12 activity and general labor climate is poor, at best.
13 These are hard times, and any hint of new jobs should be
14 closely explored.

15 One possible employment segment is the
16 extraction industry; gold, silver, oil and uranium.
17 Mining was supported by government actions, when that
18 support went away, so did the mining jobs. Oil and gas
19 exploration requires a minimum product price to
20 encourage activity. It is a boom and bust industry.

21 I support natural gas exploration. In
22 fact, I have five gas wells in Michigan. Two years ago
23 the well head price was \$10 per million cubic feet.
24 Today it is \$2. The wells still produce because the
25 labor is only one guy who comes around every other day

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1 to make sure the gas compressor is working. New gas
2 wells are not being drilled in Michigan. The price is
3 too high for the installation and the gas price is too
4 low.

5 There have been similar declines in the
6 price of oil. The current gas and oil prices have hit
7 Grand Junction and Western Colorado producers.

8 Now, lets talk about uranium. The last
9 spot price for yellow cake was \$42.25 on February 5.
10 The Montrose Daily Press noted in an article by
11 Southwest Research, that's when the -- the price of
12 yellow cake at that time was \$137 per pound in 2007 when
13 Energy Fuels announced their plans.

14 At the same time there was another mine
15 which opened up with ore rates 15 percent higher. The
16 current situation is, let's assume the mill is built,
17 perhaps it operates for a little while. The worst
18 situation is they operate and the employees feel secure,
19 then there's a drop in yellow cake price and demand.
20 Once again we face a cleanup situation and a closed
21 mine. Once again the winds will blow in the spring, the
22 Pinon Ridge Mill does not appear to be a solution for
23 employment on the West End, nor an overall, attractive
24 long-term development for the citizens of Colorado.
25 Thank you.

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1 JUDGE RICHARD J. BROWN: Thank you.
2 Steve.

3 And while Steve is working his way to the
4 mike, let me call out the next five speakers. Ernest
5 Williams, Jim Baughman, Tom Hefferman, William Lobato,
6 Barb Skalla.

7 STEVE HALE: Hello, I'm Steve Hale,
8 resident of Montrose County and general superintendent
9 for Western States Reclamation in Frederick, Colorado.

10 And to help address something that hasn't
11 been mentioned so far tonight is concerns that we may
12 have, all of us have, about how the land associated with
13 the mill may be managed and some day reclaimed. I would
14 like to offer some insight into what our industry has
15 developed and proven over the last several decades that
16 can help mitigate the environmental impact of the
17 proposed site. Specifically how erosion and storm water
18 can be handled and how these disturbed areas can be
19 successfully reclaimed.

20 Today we have these cool techniques that
21 deal with these issues, including better quality
22 products for erosion control through design features for
23 water containment. And there's a wide range of best
24 practices that have been developed for this industry as
25 any others in using the expanded list of proven products

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1 and technology.

2 We use biodegradable erosion blankets and
3 erosion control logs made of aspen trees right here in
4 this state. And long-lasting hydro mulch. There's a
5 lot to learn about what's available out there in terms
6 of reclamation, and hopefully this will help you come to
7 the conclusion that this project can be taken care of on
8 an ongoing basis and down the road safely and
9 effectively.

10 And personally I've seen firsthand and
11 helped create successfully zero-release sites by using
12 creative land design. Innovative techniques utilizing
13 site specific topography to gather the water more
14 effectively. Using soil analysis and evaluating
15 micro-climates to get re-vegetation started with feed
16 selection to get cover as soon as possible. These are
17 just a few examples of what has been done to make these
18 things possible.

19 Again, over the last couple of years there
20 has been amazing success stories of techniques developed
21 here on the Western Slope. There's a company here that
22 partnered with material supply vendors, their clients
23 have developed these techniques, and they're widely used
24 now in the gas and oil industry. And I think the bottom
25 line is that those techniques and procedures can be

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1 applied here for this site.

2 And I, as an individual citizen of Montrose
3 County, strongly support the proper development of
4 natural resources, including uranium and vanadium as
5 planned here for this site.

6 Thank you.

7 JUDGE RICHARD J. BROWN: Thank you.

8 Ernest.

9 ERNEST WILLIAMS: My name is Ernest
10 Williams, I'm from Dove Creek, Colorado. I am currently
11 a Dolores County Commissioner over there.

12 In the past I've worked for Union Carbide
13 in the uranium industry. We are for the mill in Dolores
14 County. We have little or no tourist business. We are
15 farmers, ranchers, miners, truck drivers, carpenters.
16 We want to work, is what we want, we don't want the
17 handouts. We understand that life is not without risk.
18 We're not asking you to promise us a long life with no
19 problems. I would like that, but it just doesn't
20 happen. What we're asking you to do is look at the
21 people that went before us. Look at the technology
22 we've used in the past. And let's move on to the
23 future. A hundred years ago we couldn't even fly, and
24 now we move people around the earth thousands at a time.
25 So let's don't waste what we've learned from the past,

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1 let us use it, let's move on to the future. We would
2 ask you to let us go to work. Do the best you can, but
3 just as good as you can, and maybe you can give us a
4 long, happy life. I guarantee that would be nice, but
5 we're not asking that.

6 Thank you guys for your time.

7 JUDGE RICHARD J. BROWN: Thank you.

8 Jim.

9 JIM BAUGHMAN: Good evening, my name
10 is Jim Baughman, I'm CEO of US Uranium Corp., I live in
11 Denver, Colorado.

12 I'm here to support Energy Fuels'
13 application for a radioactive materials license to
14 construct the Pinon Ridge uranium mill.

15 US Uranium Corporation is a Denver based
16 development company, we have leases with the Department
17 of Energy uranium properties. We hold numerous claim
18 blocks to the north of the Pinon Ridge Mill Site on the
19 other side of Paradox Valley.

20 I represent a private entity that would
21 come in and develop the mines that would feed the mill.
22 The Pinon Ridge uranium mill is critical to our future
23 development plans. These plans include development of
24 underground mining property in Montrose County with
25 drilling and engineering design, environmental

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1 permitting and eventually mineral production from those
2 mines.

3 This work will include the use of numerous
4 local contractors as well as mining work staff based in
5 the Naturita and Nucla area. This will result in an
6 overall positive impact to the county, both through
7 direct revenues such as jobs creation, housing, tax
8 revenue, as well as indirect revenues from the
9 development activity, support jobs, lodging,
10 restaurants.

11 Mining again can be a growing force in
12 Montrose County by providing both employment and
13 purchasing supplies and services from local communities.
14 We view the construction of the Pinon Ridge Mill as an
15 integral part of this mining system. We look forward to
16 continuing our business expansion plan in Montrose
17 County with the approval of the Energy Fuels'
18 radioactive material license.

19 Thank you

20 JUDGE RICHARD J. BROWN: Thank you.

21 Tom.

22 TOM HEFFERMAN: Good evening, I'm Tom
23 Hefferman, I'm from Montrose.

24 And I certainly can empathize with what the
25 number of people have said about the need for jobs in

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1 the western end of the county. However, with the lack
2 of current regulations to adequately protect the health
3 of uranium workers, nearby residents as well may be
4 contaminated and the adverse effect on the environment,
5 I believe the Energy Fuels Resource Corporation's
6 proposed uranium mill is not a good idea.

7 If the Proposed Uranium Processing and
8 Accountability Act that has been introduced just
9 yesterday in the legislature, Colorado legislature is
10 passed, then perhaps the issues that concern us could be
11 adequately dealt with.

12 I would like to know if Energy Fuels
13 Resource Corporation is in favor of the proposed Uranium
14 Processing and Accountability Act, and if not, why not.
15 I would always like to know if Energy Fuels Resource
16 will compensate their uranium workers who get lung
17 cancer, or will they react the way the uranium industry
18 always has. And that is if the victim can't prove that
19 they have cancer from working in the mill, they won't
20 help them.

21 Thank you.

22 JUDGE RICHARD J. BROWN: Thank you.
23 William.

24 WILLIAM LOBATO: I go by Tony, I live
25 in Nucla, Colorado, and I'm a Nucla town council member,

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1 and that's who I'm representing tonight. I was raised
2 in the town of Uravan since 1953, lived there until
3 1979. Moved to Nucla and I've remained there since.

4 I didn't write a speech either, I guess
5 have to speak from my heart of hearts. First of all, I
6 would like to apologize to you people for the lack of
7 encouragement by some of the other speakers, that they
8 don't believe you're going to be able to do your job. I
9 am convinced you can. I've seen it in the past.

10 And that's part of the problem of some of
11 the speakers, they're living in the past. They don't
12 know the new standards and regulations that we have to
13 work and abide with; the lower radon counts, the lower
14 radiation, the lower dust levels, the fuel levels
15 they've added, the time frame that you're allowed to be
16 in a certain area, and the ventilation that we have to
17 create.

18 A lot, a lot of the information that they
19 are using is old information and not true to begin with,
20 a lot of it. Certain things were brought up about, one
21 lady said she liked to bird watch the Gunnison sage
22 grouse. That's great. I've lived in the area for 40
23 years. We haven't seen sage grouse out in the basin
24 since 1975. The reason is not drilling or the mining,
25 the reason is because bleeding hearts like her have

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1 outlawed the bounty on coyotes. You know.

2 JUDGE RICHARD J. BROWN: Hold it
3 down, hold it down, please.

4 WILLIAM LOBATO: We need this mill
5 and we want this mill. The area around us will support
6 it. We are a mining district, the largest mining
7 district in the state of Colorado, and we've been in
8 existence for a hundred years.

9 Thank you.

10 JUDGE RICHARD J. BROWN: Thank you.
11 Bart.

12 And while Bart is working his way down, let
13 me call out the next five speakers; Ken Kemp, Dale Reed,
14 Bob McConnell, Wayne Wolf and Travis Stills.

15 Go ahead.

16 BART SKALLA: Hi, my name is Bart
17 Skalla, I live in Ridgway.

18 In the 1990s I worked for a semiconductor
19 company and they sent me, along with my wife and little
20 boy, to France for the better part of a year to live and
21 work. And the reason I bring that up is we learned two
22 things that surprised us at the time. Number one, how
23 little they like the ugly Americans and, number 2, how
24 much they like their big, ugly cooling towers. And, of
25 course, the cooling towers are the telltale signs of

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1 their nuclear program there.

2 And I think we all know, it's a well-know
3 fact, France gets about 80 percent of its power from
4 nuclear. And the reason I bring this up is because this
5 is American technology, and like a lot of other things,
6 it's left our shores. And we get about 20 percent of
7 our power from nuclear. And this is ours. And we can
8 do better than that.

9 Usually when you say if you want to keep up
10 with the French, that's not a very high bar to clear,
11 but in this case it is. And we can do it.

12 As far as the fuel that goes into these
13 nuclear plants, the uranium, currently I believe the US
14 is getting less than ten percent from domestic sources,
15 and we can do better than that.

16 People have mentioned the French nuclear
17 record. I looked it up at about 10 a.m. this morning,
18 the worst thing that's happened in a French nuclear
19 power plant was a number of years ago, three guys walked
20 into a room where they should have had more protective
21 gear on. They were decontaminated and they're just
22 fine.

23 So again, we can do better than this. This
24 is our technology, and we can catch up. It will take a
25 while, but we can do it.

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1 Thank you.
2 JUDGE RICHARD J. BROWN: Thank you.
3 Ken.
4 KEN KEMP: Thank you. I'm Ken Kemp
5 from Grand Junction, Colorado.
6 And what I would like to talk about is some
7 of the concerns of the residue from the radiological
8 report that was prepared for Energy Fuels, and I believe
9 for distribution.
10 The reason I'm having some concern is it
11 talks about monitoring radiation levels up to 50 miles
12 or 80 kilometers from the mill. What it said in their
13 report was an remedial action that may occur if
14 unfavorable levels are found. So that's a deep concern
15 for me just because they don't go any further.
16 Mostly I'm concerned about the winds, and
17 likewise it does not have any addressed feature as what
18 remedial action will be taken if unfavorables are found.
19 Also of concern is it does not address
20 anything with surface water and radiation that might be
21 taken in the surface water.
22 I believe that all studies of monitoring
23 should be conducted by the state of Colorado and not
24 Energy Fuels. I believe that's inappropriate by Energy
25 Fuels, and could easily be delivered on perhaps a

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1 contractual basis that the state might enter into to
2 monitor those. After all, counties and states monitor
3 restaurants, this is a little bigger project than that.
4 I also have some concerns for the fact best
5 case scenarios have been laid out for safety aspects,
6 particularly around ground water -- or I'm sorry, about
7 runoffs. Worst case scenarios have not mentioned.
8 Safety is about both best cases and worst cases. I
9 believe that, that ground water, or spring runoff have
10 not, particularly in as much as the yellow cake stone
11 and the water waste were talked about in the study,
12 quite easily extractable as far as the study. It
13 certainly wouldn't be very extractable under runoff
14 conditions.
15 I'm concerned about the highway safety in
16 the area, particularly the old roads that are in Western
17 Montrose County. So those are concerns, where those
18 trucks will go. And what protocols might be established
19 to ensure that shipments are not made in bad weather.
20 Thank you.
21 JUDGE RICHARD J. BROWN: Thank you.
22 Dale.
23 DALE REED: My name is Dale Reed, and
24 I am president of the Uncompahgre Valley Association,
25 and I have written a speech.

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1 Not all people in Paradox Valley approve of
2 the mill. There's no assurance the mill will be built.
3 Financing for the project is not evident. There's a
4 surplus of uranium now, and the decommissioning of
5 nuclear devices is adding to the surplus. Paradox wants
6 sustainable jobs, not a boom and bust program that has
7 plagued the area in the past. And the Pinon Ridge Mill
8 would be redundant as there is the White Mesa Mill in
9 nearby Blanding, Utah.
10 Radiation is a known cause of cancer and
11 pulmonary sickness. Radiation from uranium has a half
12 life, as you know, of 24,000 years. The toxic remains
13 from the processed ore will be stored on the Paradox
14 Valley site. Workers in mines, the truck drivers, the
15 unloading help and processors will be subject to
16 radiation poisoning should safety be breached. The
17 effects of radiation are cumulative and illnesses may
18 not manifest themselves for years after exposure.
19 Dust, whether from radioactive or inert,
20 will blow downwind to Ouray, Ridgway, Colona and
21 Montrose, and beyond. And remember the pink snow last
22 winter. The on-site storage cells or pits will mostly
23 leak in time. Such leaks, whether from the surface or
24 the pit liners will contaminate both air and water.
25 People living downstream and in Utah drink water from

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1 this watershed. The overall impact of the proposed
2 Pinon Ridge Mill will have a negative effect on property
3 values.
4 Americans are proud people and they shy
5 away from welfare and government handouts, however,
6 governments from county, state and the nation will be
7 required to monitor and maintain this radioactive and
8 toxic site from its beginning to its undetermined end.
9 It is hard to believe that loving parents wish to commit
10 their children to a life of work under such
11 circumstances that exist at that proposed mill.
12 Thank you.
13 JUDGE RICHARD J. BROWN: Thank you.
14 Bob McConnell.
15 BOB MCCONNELL: Good evening, I'm Bob
16 McConnell, I'm a Tea Party endorsed Republican candidate
17 for the United States Congress. And I would like to ask
18 those in the audience here that support Pinon Ridge to
19 stand.
20 JUDGE RICHARD J. BROWN: No, please
21 don't. We're here to address -- I'm sorry, but we're
22 here to address the Department of Health.
23 BOB MCCONNELL: Okay. Well, I stand
24 with those people that support Pinon Ridge. The United
25 States can and should achieve energy independence as the

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1 highest national priority. Instead we continue to rely
2 on countries unfriendly to us to provide those energy
3 resources. We put our national security at risk.
4 Two people have spoken eloquently of the
5 dependence of the United States Navy on nuclear energy.
6 The first nuclear warship, 60 years ago. First nuclear
7 aircraft carrier, 50 years ago.
8 Tonight the young men and women stand in
9 harms way to secure safety and peace so we can speak our
10 minds. They accept unbelievable risks. We want to
11 accept minimal risks to continue to provide them the
12 nuclear energy they need.
13 I'm an EMT eight years, I've learned the
14 reality of life is an inherently dangerous sport. Life
15 is one hundred percent fatal. We could walk out there
16 tonight, trip on the stairs, get in our car and crash.
17 We should be able to accept those risks as they are
18 manageable and minimal.
19 Western Colorado can and should lead the
20 United States in energy independence and reap the
21 benefits, economically the jobs will come, because we
22 will grow with nuclear energy. Pinon Ridge is the best
23 way to demonstrate our support of our national efforts.
24 Thank you.
25 JUDGE RICHARD J. BROWN: Thank you.

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1 Wayne.
2 WAYNE WOLF: Hello, my name is Wayne
3 Wolf, I'm a resident of Cedaredge in Delta County, I was
4 a Delta County commissioner for eight years. And then
5 now I'm running for state senate in District 5.
6 I would just mention, because it seems to
7 have some relevance here, that two of my really good
8 friends and an acquaintance in Cedaredge have lung
9 cancer, one of them supports a family of five. This was
10 not paid for by the Cedaredge Chamber of Commerce, or
11 endorsed by them, that comment. But I would just
12 mention that, because I think that's something you have
13 to look at. It's not only how many people that have
14 lung cancer in this type of area, but in other areas,
15 too.
16 And in contrast to that, Bill Shyer, who is
17 now a Cedaredge resident who testified earlier rather
18 clearly, was a long-time engineer at one of the mines
19 there by, in this area that we're talking about.
20 So I think that one of the most relevant
21 things that was presented by Energy Fuels Resources in
22 their presentation was concerning the background
23 radiation. And I would ask the Colorado Department of
24 Public Health and Environment to look at that carefully,
25 because if that's accurate, then I don't see that we're

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1 talking about a huge health concern at the West End
2 through this mill. Because the amount that they would
3 add is very insignificant compared to the background
4 that's already there. I think that if we're very
5 concerned about radiation, then we shouldn't live in
6 Western Colorado.
7 I would just also say that I would ask you
8 to reasonably protect the workers and residents in that
9 area, but don't do any more than that. If we
10 unreasonably restrict the use of natural resources, we
11 will continue a path of economic decline.
12 JUDGE RICHARD J. BROWN: Thank you.
13 Travis.
14 And while Travis is working his way down
15 I'll call out the next five speakers; Bob Connor. Linda
16 Sorenson. I'm sorry, about this name, Jolene Vaned.
17 Marvin Ballantyne. And Mike Epright.
18 TRAVIS STILLIS: Good evening. I'm
19 not running for public office. My name is Travis
20 Stills, I'm with the Energy Minerals Law Center. We do
21 represent numerous community groups who are living near
22 or faced with the threat of uranium mining and milling
23 throughout the west. We are familiar with a lot of the
24 problems that folks face with the existing mills, the
25 facilities that have or are in the process of being

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1 cleaned up, sporadic operations, jobs patterns which
2 operate on a run for a while, shut down for a while.
3 They can shut down for numerous years, or as in the case
4 of White Mesa, run for a matter of weeks, layoff a crew
5 and bring a new crew on. The apparent problems with
6 undertrained and poorly inherent work force. That and
7 the effect on the communities.
8 There are two things I would like to
9 address that came up tonight, and which is why we do
10 encourage you to have more public meetings. The first
11 is something I hadn't heard before, and hadn't seen in
12 the Energy Fuels' assessment of impacts, and that is
13 power outages, shortage, rolling brownouts and blackouts
14 in this county.
15 I, being from Durango, Colorado, was not
16 familiar with that. At least two speakers brought that
17 up here who were in support of the mill. I think that
18 is something that you all should look at, and that is do
19 they have an electrical source that's reliable, and,
20 two, what will be the impact on that more broadly.
21 The second is a representation made by
22 Cotter Corporation this evening. I believe you all are
23 very familiar with their activities. The statement that
24 they are currently permitted and able to mine under DMRS
25 rules is false. I would encourage you to pursue that

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1 question, especially since they're a licensee subject to
2 the requirements of veracity and truthfulness to this
3 particular commission.
4 Cotter has no environmental protection plan
5 in place, to my knowledge, I did check on that the day
6 before yesterday. We challenge Cotter's inattentiveness
7 or refusal to get an environmental protection plan in
8 front of the DMRS in 2005. The DMRS agreed with us.
9 Said that they can't mine without them. They did mine
10 5,000 ton of ore out just over the hill here, just over
11 the hill from where the mill would be. You all have
12 been dealing with that since.
13 So I would encourage you to look into that
14 and I would encourage Cotter to retract and correct
15 their statements and for Energy Fuels, and also CDPHE,
16 to correspond with DMRS to actually verify that all the
17 mines listed in the application are not ready to go.
18 They don't have plans in place.
19 And while you're at it, you might check
20 that DMRS issued a series of fines last week, and I'm
21 not going to say the name of the company because I don't
22 think I have it accurately written down, for mining 2000
23 ton of ore in Montrose County on BLM land without a
24 permit. This industry has, in its attempt to reopen,
25 shown basically that it's the same as it ever was. So

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1 accusations and assertions that are somehow new,
2 different, but follows the letter of the law are
3 contrary to what we've already seen in the very short
4 time that they have been operating.
5 Thank you very much.
6 JUDGE RICHARD J. BROWN: Thank you.
7 We're going to take, this will be a quicker
8 break, a five to ten-minute break. We have about 15
9 more speakers, we'll take about a five, ten-minute break
10 and then we will be back.
11 (A recess was taken from 9:01 p.m.
12 until 9:08 p.m.)
13 JUDGE RICHARD J. BROWN: We're back
14 on the record. Bob, you can go ahead.
15 BOB CONNOR: How many of you have
16 had the occasion to witness something and you say to
17 someone near, what were they thinking. The point I'm
18 making here is that that's always said after the fact.
19 And I think it would be nice to have some sort of
20 glimpse into the future of what we're talking about here
21 tonight with this mill and mine.
22 One previous speaker mentioned an ad in the
23 Daily Press, it's in there with regularity, for the mill
24 loaders and haulers and things like that. People, at
25 least I think these attorneys are trying to contact them

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1 for whatever reason, but they are out there. And I just
2 want to make mention of that as well.
3 I also want to mention, we talked -- we
4 heard earlier that Marie Curie got her uranium from
5 Uravan. She also died from it.
6 I wanted to talk here just briefly about
7 the fact here that one thing I saw in the presentation
8 here by the uranium company was that there were quite a
9 few safety procedures that you're going to try to put in
10 place, and they were very, very passive. And didn't,
11 didn't deal with it. One thing they cannot deal with, I
12 don't believe, is the amount of the wind, the direction
13 of the wind, which direction it flows, any of that.
14 They have, they have no way to guarantee that.
15 And the tailings they have there, or
16 whatever they want to call them, are out in the open.
17 They were going to leave them there, or whatever. And
18 even if you have a half-life on that of 24,000 years,
19 when you say half-life it sounds -- it has different
20 inflection than if you say, well, after the first 12,000
21 years you only have half of it.
22 I would also like to mention here that the,
23 I think it was the September issue of Scientific
24 American, I don't know, it was the one that was
25 completely yellow on the front. There was a ten-year

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1 study at Stanford University, and I forget the name of
2 the other one, of showing how the entire world will
3 be -- could conceivably move to one form or another of
4 solar by the year 2030. Okay, that's a doable thing.
5 There are great obstacles to be met there, but it can be
6 done. It showed how it can be done. It would be
7 interesting reading for everybody on the panel, you can
8 take a look at that. There's a great deal of resistance
9 from the people with a vested interest in continuing to
10 use fossil fuels. But it is doable. I see no reason
11 why we can't do it, and we're talking about the entire
12 world by 2030.
13 Thank you.
14 JUDGE RICHARD J. BROWN: Thank you.
15 Linda.
16 LINDA SORENSON: Finally. Linda
17 Sorenson from Delta. I support, I'm here to support the
18 Pinon Ridge Mill. I grew up, I was born and raised in
19 Canon City. My family, we lived probably a mile from
20 Cotter Corporation. I spent my childhood riding my
21 horses around the mountain, the little hills, riding up
22 to those ponds on Cotter's property with my horses.
23 We're fine, we're okay. My brother, my sister and my
24 mom, my grandparents, my cousin, my horses, we're okay.
25 My choices will cause my illnesses. My

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1 choice to smoke or not eat right, that will, that will
2 be a cause for me to not -- to get cancer, or whatever.
3 And the jobs in that oil and gas industry in Grand
4 Junction, and in the state of Colorado right now, have
5 been reduced due to the, due to the restrictions and
6 taxes from Ritter up there in Denver.
7 And someone asked, you know, we want to
8 look at alternative fuels. Well, what are alternative
9 fuels. Is it wood? Is it wood byproducts, is it
10 uranium, is it -- what is it.
11 And the actions of the environmentalists,
12 of whom are here tonight, they have been working very,
13 very hard, I don't know what their plan is, but there's
14 an agenda there, they have stopped oil and gas, timber
15 logging, and what has it done. Caused a beetle epidemic
16 here in Colorado, it's caused a sudden aspen decline
17 here in Colorado. And so now it's up to the taxpayers
18 to clean up, after them, after they've put appeals on
19 mills going in, on timber sales, on oil and gas
20 restrictions, and for why. To protect the environment?
21 Nope, it's not protecting it. God put us here to be
22 stewards of this land. and being a steward of this land
23 means using it to the best of our knowledge. The
24 environment has given us standards to protect ourselves,
25 and that's good. And we should continue on that road,

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1 but not stop growth.
2 JUDGE RICHARD J. BROWN: Thank you.
3 Jolene.
4 JOLENE VANED: Hello. First of all I
5 would like to thank you for holding this hearing and I
6 would like to also just perhaps say keep continuing, I'm
7 learning a lot here tonight.
8 I live in San Miguel County, I live here
9 for 15 years. This is my home, Colorado. And I love
10 nature and I also understand people need jobs. And I
11 used to live in the secondary evacuation area for Three
12 Mile Island. And that was not a pleasant feeling. And
13 I'm originally from a country that has lots of people
14 very ill from uranium. I'm originally from the Czech
15 Republic from Prague. The man in our home building, he
16 was dying slowly from being exposed and every year they
17 took another part of him. So I know there is some
18 people, and he didn't smoke, he was a good man, he ate
19 well. I think there are some individuals that are very
20 fortunate and my heart is very happy when I see them
21 coming to these hearings and saying they have got a lot
22 from this product of this industry.
23 And also since I moved to Western Colorado,
24 I have met many families from Nucla and Naturita who I
25 have worked with. Wonderful, hardworking people who

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1 used to say I lost two family members in Uravan, my
2 father, my brother, they both died from Uravan, they
3 both died from the uranium, up to five people per
4 family. I'm also aware there might be four or five or
5 six others standing kind of behind them, and they don't
6 come and testify about the harmlessness of the industry,
7 because they are dead or dying.
8 I also understand there was a lawsuit in
9 Uravan, 200 people strong, that lost because the judge
10 said I could clearly see genetic damage, but according
11 to the law they are not considered personal injury.
12 What I would like to urge you today is to
13 look at one point that people keep bringing up tonight
14 here a lot, which is we need energy in United States, we
15 need uranium. However the Energy Fuels has stated
16 repeated publicly, and let's remember that, it's a
17 Canadian company taking our resources out of the
18 country, and I understand they will processing the
19 yellow cake in Canada and selling it to the highest
20 bidder, which we publicly heard in public hearing in
21 Utah. Out of this country into Canada. How are you
22 going to use it in our factory here. I don't hear any
23 contract with them and any of our energy companies.
24 So please keep holding these hearings and
25 thank you for having us here.

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1 JUDGE RICHARD J. BROWN: Thank you.
2 Mr. Ballantyne.
3 MARVIN BALLANTYNE: Good evening, my
4 name is Marvin Ballantyne, I live west of Montrose.
5 We've been told it's our patriotic duty to
6 produce uranium in Colorado in order to have national
7 energy independence. But why should we produce yellow
8 cake only to have it go to Canada.
9 The quality of the uranium in this area is
10 not the greatest. Yellow cake can be produced in many
11 places around the world at a much lower price than in
12 Paradox. If it can't be produced at Blanding for less
13 than the market price, why should we build yet another
14 mill that's closer than a hundred miles away? Is it
15 patriotic to mess up a beautiful part of southwestern
16 Colorado for thousands of years rather than buying
17 uranium at a lower cost from such places as Australia?
18 Proponents of the mill say that new nuclear
19 power plants will create vastly increased demand for
20 uranium. But experts say the only way nuclear plants
21 can compete is with billions of dollars of federal
22 subsidies. Is billions of dollars of subsidy good for
23 our country?
24 Some say that the new state-of-the art
25 technology makes nuclear power plants, uranium mines and

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1 uranium mills perfectly safe. I believe in Murphy's
2 Law, if anything can go wrong, it will. Mistakes
3 inevitably happen. New cars have accelerators that
4 stick and brakes that don't work.

5 The operation of any uranium mill routinely
6 releases some radiation. It is hoped that a small
7 amount won't kill you. The solution to pollution is
8 dilution. But who here is willing to expose their
9 children or grandchildren to this material?

10 Finally, is it not unethical for Energy
11 Fuels to raise the hopes of residents of Paradox, Nucla
12 and Naturita for jobs that will probably never be
13 attained, or will only be short-term construction jobs
14 or sporadic mill jobs.

15 There are ways to create safer jobs than
16 digging radioactive ore out of the ground and
17 concentrating it. There are safer and less costly ways
18 to generate electricity. There are better ways of
19 utilizing beautiful Colorado lands than tearing them up
20 and making them toxic. Over the years nuclear power has
21 received many billions of dollars of taxpayer subsidies,
22 not to mention more billions spent for cleanup costs and
23 compensation for health problems and early deaths. Wind
24 and solar electricity have had relatively minimal
25 encouragement from subsidies. Yet wind and solar are

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1 proving to provide reliable electricity at lower costs
2 than nuclear.

3 We don't need Pinon Ridge Mill, and many of
4 us don't want it for a neighbor.

5 Thank you.

6 JUDGE RICHARD J. BROWN: Thank you.
7 Mike.

8 And, Mike, while you're working your way
9 up, the next group of speakers will be Marilyn Adamson,
10 John Reams, Jennifer Antista, Regina Suell and Jim
11 Holdenthorp.

12 MIKE EPRIGHT: Good evening, I'm Mike
13 Epright standing before you today representing the West
14 End School Board in favor of the Pinon Ridge Mill in the
15 West End of Montrose County.

16 As principal of the Naturita's elementary
17 school I would like to share some information about our
18 school and community. In rural communities schools are
19 often the hub of activities and meetings that pertain to
20 important issues. Many meetings have taken place over
21 the past year dealing with various needs of the
22 community. Water issues, mill approval, road closures,
23 declining enrollment, budget issues and people out of
24 work are all important concerns for the fate of our
25 great community. The West End school board and school

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1 related staff have pushed forward with positive thinking
2 to ensure the educational needs of the community will
3 continue to be our top priority.

4 Master plans are being updated, grants are
5 being applied for, and community members are being
6 represented in all areas of concern to the community and
7 the school. When the mill is approved, West End public
8 schools will be ready for their commitment to the
9 community.

10 Energy Fuels has proved to be a viable
11 partner to the community. Their thought process,
12 organization and updated research for the needs of the
13 community have been in place from the beginning. There
14 is no doubt that safety to the environment and the
15 community are a top priority and their commitment to the
16 latest technology will fulfill many of the unanswered
17 questions.

18 Times are tough in the West End, people are
19 tough in the West End, also. With the continued
20 commitment by all the stakeholders, the Pinon Ridge Mill
21 will prove to be a great asset to a great community in
22 the West End.

23 Again, the West End School Board is in
24 favor of the Pinon Ridge Mill.
25 Thank you.

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1 JUDGE RICHARD J. BROWN: Thank you.
2 Marilyn.

3 MARILYN ADAMSON: My name is Marilyn
4 Adamson, I'm a Colorado native, third generation.
5 My grandparents were pioneers, they came
6 here in covered wagons. They made it through the
7 boom/bust people are talking about. It's an eternal
8 thing in the state of Colorado. If the snows go away,
9 the ski areas go bust. This is the way it is.

10 I'm speaking to you, and I'm going to try
11 and think at the same time. I'm not a good speaker,
12 just bear with me. I wouldn't want your job for the
13 world.

14 The important part, I think, first of all,
15 the West End needs the jobs and they deserve to have the
16 right to send their kids somewhere. The second thing I
17 think you need to know is people over, over and over,
18 they all have the same agenda, it's called
19 obstructionism. All over the country they've shut down
20 nuclear power plants for years. They have shut down
21 mining all over the state. They have in some areas shut
22 down farming. They come into an area and they say,
23 okay, it's ours, let's do what we want, we're going to
24 nag until we get it. I'm tired of minding my business
25 and my life and them telling me I can't have a job

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1 because it offends them in some way. They are
2 emotional, they don't look at reason, they don't realize
3 what happens to people as a result of their actions 30,
4 40 years ago. I have a brother who lives out there
5 mining in uranium. He's 70 years old, he is fine, and
6 he was in one of the worst mines in the area. There are
7 no guarantees, there is no one hundred percent, we all
8 live our lives. Possibly you could end up leaving here
9 and getting run over by a car.
10 So I'm going to ask you, please consider,
11 these people have tried, with every rule that they have
12 to follow, to make this work the best possible way
13 technology will let it work, they're providing jobs for
14 people. Yes, this is important. They are also trying
15 to provide something we're going to need very soon.
16 Do you know how long it takes to build a power plant?
17 Ten years, and that's after it's approved, after ten
18 years of obstructionism to try to keep it from
19 happening. So I'm going to ask, will you put a stop to
20 this kind of endless harassment.
21 Thank you.
22 JUDGE RICHARD J. BROWN: Thank you
23 John.
24 JOHN REAMS: Hello, I'm John Reams, I
25 live in Naturita and I'm here representing Club 20. As

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1 you know, Club 20 is a non-partisan organization of the
2 22 counties on the Western Slope.
3 And Club 20 would like to make a statement
4 in favor of the mill, and I have that statement,
5 regarding the development of uranium/vanadium reserves
6 in Western Colorado, and I'll read that and I'll give
7 this statement to you.
8 Club 20 recognizes the tremendous uranium
9 reserves which exists in Western Colorado, and also met
10 the essential need for the United States to more fully
11 develop nuclear energy opportunities to meet our
12 nation's domestic energy demand.
13 To that end, we fully support the approval
14 and development of the proposed Pinon Ridge Mill in
15 Montrose County, subject to compliance with appropriate
16 environmental laws and appropriate safeguards for health
17 and human safety. In addition to providing abundant
18 uranium supplies which will contribute to addressing our
19 nation's expanding energy needs and providing for new
20 supplies of vanadium, the proposed mill will provide
21 tremendous economic benefits to Western Colorado.
22 And Reeves Brown, Executive Director signed
23 this. So I'll give this to you.
24 And another thing on the uranium mineral
25 belt, we're talking uranium, and vanadium is also part

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1 of it, too, there is an average of uranium in that
2 mineral belt, six to one ratio, there's more vanadium
3 than there is uranium, so we need to keep that in mind,
4 for steel, for other alternative energy, or anything
5 like that. So I have this and I'll give it to you.
6 Thank you.
7 JUDGE RICHARD J. BROWN: Thank you.
8 Jennifer.
9 JENNIFER ANTISTA: Hello, I would
10 like to thank you all. I also would not want to be in
11 your shoes. I'm here to address any concerns because to
12 the development of the mill. I think there are a lot of
13 unknowns and things that have not been addressed in
14 regards to the elements, which is not something that we
15 can control. We have our spring runoff. We have winds.
16 We have human error. We have a lot of unknowns out
17 there, and unfortunately we're dealing with the element
18 that is very, very dangerous and toxic.
19 We have to remember the A-bomb. We have to
20 remember Hiroshima. We have to remember these things
21 that are taken out of the earth we really don't have
22 control over where they go and what they can do to our
23 world.
24 We all are in place right now of wondering
25 how we are going to make ends meet. But money is not

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1 the most important factor here. This is the earth, this
2 is a long-term commitment that we are considering, which
3 could devastate and create a lot of problems if every
4 contingency is not in place. There is not a contingency
5 plan that has been addressed. What if a truck drives
6 off the road. What do we do, do we evacuate people?
7 How do we deal with it?
8 This is not an oil spill. An oil spill
9 devastating enough in the waters of Alaska. They're
10 still feeling the consequences of the oil spill because
11 there was not a contingency plan for what if a ship runs
12 aground. How do we deal with it?
13 This is our life, there's generations to
14 come, and I ask that you look at this closely and
15 address it directly and not be influenced by the promise
16 and vanities of jobs available, deemed, being deemed
17 available for the people. Let's look at this closely.
18 And I respect your time and efforts and the
19 time and efforts of everyone here tonight.
20 Thank you.
21 JUDGE RICHARD J. BROWN: Thank you.
22 Regina.
23 AUDIENCE: She left.
24 JUDGE RICHARD J. BROWN: Jim.
25 AUDIENCE: He left.

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1 JUDGE RICHARD J. BROWN: Well, lets
2 call out the names of the final speakers. We have seven
3 speakers. We have seven speakers left, I'll just call
4 you all together. Paul Bony, Rich Ziegler, Mary Lewin,
5 Water von Helms, Sandy Cagney, John Thurman and Ron
6 Courtney.

7 AUDIENCE: I signed up and I'm not on
8 your list.

9 JUDGE RICHARD J. BROWN: I'm sorry,
10 what?

11 AUDIENCE: I also signed up to speak
12 and I'm not on your list.

13 AUDIENCE: So did I.

14 AUDIENCE: So did I.

15 JUDGE RICHARD J. BROWN: Okay, well,
16 we'll try to accommodate you. I have no clue why you're
17 not on -- did you sign this sheet?

18 AUDIENCE: Yes.

19 JUDGE RICHARD J. BROWN: We'll pick
20 you up here in just a minute, we don't have you on this
21 list, but we'll pick you up. Let's go ahead and call
22 out these names. Paul Bony, Rich Ziegler, Mary Lewin,
23 Walter von Helms and Sandy Cagney. So let's do these
24 speakers and then we'll get to the others.
25 Paul.

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1 PAUL BONY: I was hoping I would lose
2 the lottery and be last. I do appreciate your time
3 tonight. I'll be very brief.

4 In his State of the Union speech last month
5 the President called for a new generation of safe, clean
6 nuclear power plants. President Obama and Energy
7 Secretary Steven Chu announced yesterday that the
8 federal government is going to provide eight billion in
9 loan guarantees to build what will be the first nuclear
10 plant in the United States in 30 years.

11 In the White House's budget that was just
12 released to Congress for fiscal year 2011 the Obama
13 administration has tripled the amount of money that will
14 be available for federal loan guarantees to support the
15 construction of new nuclear power plants, and this
16 budget calls for 54.5 million in guarantees.

17 Seventeen countries currently produce
18 concentrated uranium oxide from Canada to Australia and
19 to Kazakhstan being the leading producers. The United
20 States has the fourth largest uranium resources in the
21 world and was the world's leading producer of uranium in
22 from 1953 until 1980. But by 2001 the United States
23 mined only five percent of uranium consumed by its
24 nuclear power plants. The remainder has been imported
25 principally from Russia, Canada and Australia.

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1 Electricity produced by carbon free nuclear
2 power plants can meet our nation's climate goals, help
3 break our dependence on foreign oil and increase
4 employment for the badly economic activities here in
5 Montrose County if this project is approved.

6 I urge you to approve this project. If you
7 do not, you will not stop the growth of nuclear power in
8 the United States, you will just give the jobs and
9 resulting economic growth created by these jobs to other
10 countries or other states.

11 Thank you.

12 JUDGE RICHARD J. BROWN: Thank you.
13 Rich.

14 RICH ZIEGLER: Good evening, my name
15 is Rich Ziegler.

16 I'm going to talk about a variety of
17 things. I managed Encana Corporation for long years, I
18 know this distinguished group up here. And I'm kind of
19 amazed that some of the people come up here and attack
20 their integrity. I want to tell you for sure that these
21 are highly qualified special and technical people and
22 they're a credit to the State of Colorado. I say that
23 because I had to go up against them, I've worked with
24 them, we've had our share of arguments.
25 Also I want to talk about the license, I

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1 know a lot about licenses. I see what Energy Fuels did,
2 and in their due diligence we'll find one or two things
3 to discuss. But, it's a very technical permit, I
4 briefed you in detail. I think Golder and Associates
5 were in there, Chzm Hill, Kleinfelder, all those people
6 I know, I worked with Kleinfelder, especially on the
7 tailings and the commissioning and reclamation.

8 What you should understand is that the
9 State of Colorado will make sure that the bonding
10 requirements will be quite constrained.

11 The other thing I would like to talk about
12 is the great caliber of people in this field, I've
13 either worked with them or they worked with me or, you
14 know, I've known them for a long time and they're a
15 great caliber of people. And I think probably the State
16 of Colorado through these hearings probably understands
17 that as well as I do.

18 There's been a lot of innuendos about a lot
19 of things, but I guess, you know, guys talked about
20 Russia, and Russia's not going to do the amendment, they
21 expire in 1213, if they're going to do it, they're going
22 to do it now. We don't plan much for that. And they're
23 going to take their weapons grade material to Japan or
24 France, or wherever, not here in the States.
25 And people talk about funding and what goes

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1 on. I guarantee you they will be approved, it will be
2 approved to support the nuclear energy. So it will be
3 approved and the funding will come.
4 I could talk about all the history and
5 regulations whatever goes on the tailings and all of
6 that, the State knows that as well as I do.
7 You and I both know a lot of this is
8 emotional. You guys do a good job and the people talk
9 about, you know, your role, you guys know what to do,
10 you've been doing it for years and you've done a great
11 job.
12 Thank you very much.
13 JUDGE RICHARD J. BROWN: Thank you
14 Mary.
15 MARY LEWIN: I just want to say thank
16 you for your time, I appreciate it.
17 And I support the Pinon Ridge Mill for
18 various reasons. I do support this mill because America
19 desperately needs to increase its production of clean,
20 carbon-free, domestically-produced nuclear energy.
21 And there are many concerns with this mill,
22 which are generally regarding the impact on the
23 environment as well as public safety. I believe it's
24 important to point out that Energy Fuels has more than
25 adequately addressed these to the county, state and

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1 environmental agencies.
2 One extremely important point that needs to
3 be made here tonight is that decades ago there were
4 regulations set in place to ensure the safety of people
5 or to make sure the environment would be impacted as
6 little as possible. And there are agencies to regulate
7 these issues now, CDPHE being one of those agencies.
8 Please take this into consideration and how far we have
9 come in regard to public safety.
10 And I know the agencies, especially CDPHE,
11 have experts overseeing all aspects of the mill to
12 ensure that it operates safely and responsibly so that
13 it can be an unparalleled, positive economic impact, not
14 only for Montrose County, but for Western Colorado and
15 the Nation.
16 JUDGE RICHARD J. BROWN: Thank you.
17 Walter.
18 WALTER VON HELMS: I did say I was
19 leaving, I have to teach school tomorrow, I'm a
20 substitute teacher.
21 First of all I would like to say thank you
22 to the committee for being here, and thank Your Honor
23 for being here. And my son taught me to say that, he
24 wants to be a judge some day.
25 A little bit about my experience, 50 years

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1 with the International Brotherhood of Electrical
2 Workers. I've worked on many power plants. Three of
3 them were nuclear plants. Worked on the very first one
4 in Illinois. Worked on the Zion plant briefly, and I
5 told them don't even bother sending me a check. We just
6 found out that eight people died the day before I
7 arrived on the site. And I said to myself, I'm not
8 going to stay here if that's what they think about
9 safety concerns for construction workers on the job
10 site.
11 So my main concern tonight would be the
12 safety issues. They mean a lot to me. And the exposure
13 to contamination of rems, I'm not going to ask people to
14 stand up or raise their hand, but I don't know if
15 there's too many people in this room who have been
16 exposed to radiation like I have. And I walked through
17 Rocky Flats and to see that Geiger counter go off
18 counting the rems you were exposed to, despite lowering
19 a rope with a bucket with pills down to my fellow
20 workers that were installing that that would refuel the
21 reactor.
22 Also another time I had to go up and check
23 the gussets for the nuclear, an NRC person that was
24 afraid to climb the steel to get up there. And I was
25 asked to go up there and I did, and when I came back

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1 down my overalls were covered and I set off the machine,
2 and this is right in the plant, right in the reactor
3 area. So I've been exposed to the danger and I didn't
4 like it, but we need to go to work, we need to go to
5 work.
6 I respect the people that want jobs, and I
7 think we need to find jobs, but I think we can find them
8 in other places.
9 And just very briefly, one would be
10 harnessing the ocean waves, an ocean-powered technology
11 company in the United States, and they're installing
12 these devices all over the country, and all around the
13 world so we can start harnessing that type of energy.
14 I'm going to cut it off because I've been
15 warned. And thank you for your time and your
16 consideration.
17 Thank you.
18 JUDGE RICHARD J. BROWN: Sandy
19 Cagney. John Thurman. Ron Courtney.
20 RON COURTNEY: Good evening, my name
21 is Ron Courtney, I'm here on behalf of the Montrose
22 Economic Development Corporation. I'm not here to speak
23 in favor or against anything, but provide information
24 that we believe is important and you consider in this
25 decision before you.

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1 Our mission is to strengthen Montrose
2 County's economic base and increase the standard of
3 living for all of those residents through retention,
4 expansion, attraction and development of primary jobs
5 and capital investments. This mission includes the
6 promotion of work force enhancement, agricultural
7 advancement and other business development that provides
8 economic diversification and stabilization.

9 Over the period of time in the last 50
10 years I've seen a 220 percent increase in the population
11 of Montrose County. In that same period of time, the
12 town of Nucla and the surrounding area has seen a 17
13 percent decrease. The town of Naturita a 30 percent
14 decrease.

15 Clearly the absence of primary jobs and
16 industry are the cause and the creation of this
17 shrinkage when the rest of the county is obviously
18 growing and doing so well.

19 The proposed mill said it will bring 85
20 jobs. If we use that \$45,000 per year figure, which I
21 believe is the bottom number, that would have an effect,
22 with the other 190 possible jobs that go with that, of
23 six million dollars in terms of, in round figures.

24 That net effect then with the rest of the
25 indirect effort jobs increases to what we believe would

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1 be 1202 permanent jobs. Those jobs would create over
2 forty-three million dollars in additional annual payroll
3 to the area, thereby creating a total of just a hair
4 under fifty million dollars per year of economic benefit
5 directly related to the mill itself.

6 That fifty million dollars would then spin
7 multiple times in our community until it is removed by
8 the places that take the money away from us.

9 One of the things that economic development
10 does, and the reason that we give them, is because when
11 we import dollars into our area, it's money that we get
12 to use, keep and for our own benefit.

13 The opportunity to spend money at a
14 retailer, or something like that, that supports dollars
15 away from us, are gone. By using our own resources and
16 maximizing those resources, we import dollars in, which
17 benefits all of Colorado, and most specifically in this
18 case, Montrose County, which is our mission.

19 So we would like you to know that these are
20 the numbers based on our efforts and studies that would
21 be realized based on the projections that they have
22 provided.

23 Thank you.

24 JUDGE RICHARD J. BROWN: Thank you.

25 I think -- I hope there has not been some confusion in

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1 the signup, but I have a list of those who I believe
2 have signed up to speak this evening who spoke in Nucla,
3 and we were trying to accommodate, just on a random
4 basis, folks who didn't have an opportunity to speak in
5 Nucla.

6 So let me read these names, if you're here,
7 you're very welcome to speak, although if you could
8 speak for some of the others, that may help us. While
9 we have a little bit of a time problem, we're getting
10 close to ten o'clock and some of the employees need to
11 be able to be released from the building for work
12 reasons. So let me read the names that I have here.
13 Dan Burns, Mike Childress, David Glynn, Craig Pirazzi,
14 Dianna Reams, Joyce Schafer and Tammy Sutherland.

15 If you folks are here you're very welcome
16 to speak, and if you can, as I mentioned, if you can
17 speak for someone that will help a little bit as well.

18 And what is your name, sir?

19 DAN BURNS: My name is Dan Burns, I'm
20 speaking on behalf of the Western Small Miners
21 Association.

22 We're here tonight to discuss the milling
23 of uranium and vanadium ores. There's a lot of
24 opposition here tonight. I've heard a lot of people
25 that are real passionate about how they feel. And I

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1 have to say that I'm livid. I think if they was -- I
2 think if we was here tonight to discuss oil and gas,
3 they'd be opposed to that, too, or coal mining. If it
4 was a gravel pit, they'd be just as passionate about all
5 those things. And God bless them. These people that
6 are over here from primarily communist countries, thank
7 God that they're here in American where they can stand
8 up and voice opposition to anything.

9 The thing I'm not -- well, the reason that
10 I am livid is I'm vehemently opposed to some things
11 myself. One of them is smoking. But if I'm going to use
12 tobacco products, then that would make me hypocritical.
13 And far be it from me to paint these folks with a
14 hypocritical brush, but the fact is, if it was not for
15 drilling, mining and milling, we wouldn't be standing on
16 this concrete floor tonight. We wouldn't have this
17 structural steel roof over our heads, or the heat or the
18 electricity. We wouldn't have these concrete block
19 walls. We'd be standing here in the dark in a hayfield.
20 And that just a fact.

21 I am in support of the Pinon Ridge Mill.
22 I'm in support of you folks doing your job, I've got
23 confidence that you have the ability, the technology and
24 the rules and regulations to manage this.

25 And God bless you for what you've got to

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1 do. And God bless American.
2 JUDGE RICHARD J. BROWN: Thank you.
3 Mike Childress. Is Mike here? David Glynn. I'll read
4 out these names and if you're here you can work your way
5 down so we can save a little time. Craig Pirazzi,
6 Dianna Reams, Joyce Schafer and Tammy Sutherland.
7 DAVID GLYNN: Hi, my name is David
8 Glynn and I live in Ophir, Colorado. I'm here to speak
9 against the mill.
10 I spoke in Nucla against it, and I'll try
11 not to be too redundant, but I will state a couple of
12 things again. It's not just the mill, it's the
13 toxicity, and every time you go through another step
14 with uranium it gets more and more toxic.
15 There could be no Hiroshima, Nagasaki,
16 there could be no Three Mile Island, there could be no
17 Chernobyl if there were no mill. So I'm against nuclear
18 all the way across the board, and for what I feel could
19 be.
20 I would also like to ask or make a request
21 of the board that we could have other meetings, and some
22 of those meetings structured as Q&A so we could have the
23 public question you, the board, and have it be a two-way
24 conversation. I think that would be very helpful. So
25 if you could keep that in mind.

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1 And the other thing I would like to say is
2 that I noticed a couple of coincidences that really
3 stand out in my mind. The Cotter Corporation has less
4 than a stellar record concerning their mill in Canon
5 City, and I would imagine that you, the board, would all
6 be aware of that less than stellar record.
7 And I question in my mind, if it were the
8 Cotter Corporation that was asking the board for the
9 permit for the mill, how they would be received by you,
10 and I'm sure with an open mind, but I think there would
11 also be some trepidation, perhaps, on that.
12 But any way, the coincidences that I have
13 noted and hope that you have noted them, too, and
14 perhaps you can look into these coincidences, is the
15 fact that the Cotter Mine, the open-pit mine is directly
16 above the proposed mill site. I find that to be a
17 coincidence.
18 And the other thing is what I heard tonight
19 by the first speaker when he said that the Cotter
20 Corporation with the mines that they hold within a
21 couple miles of the mill could supply 500 tons of ore a
22 day to the mill. And it's coincidental that the amount
23 of tonnage that the mill is seeking right now is 500
24 tons per day. I just find that to be very coincidental.
25 And perhaps the board could look into that and see if

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1 it's just a coincidence or if there is some connection
2 here.
3 Thank you.
4 JUDGE RICHARD J. BROWN: Thank you.
5 Craig Pirazzi.
6 CRAIG PIRAZZI: Hi. Thanks a lot for
7 sticking around.
8 I am a member of the Paradox
9 Sustainability Association. It's a group of residents
10 of the Paradox Valley who to us this is a very personal
11 issue, as you can imagine. And when we formed the
12 Paradox Valley Sustainability Association we thought
13 long and hard about the name of it and what we were to
14 represent, because a lot of members of our group have
15 family members that are for the mill and all the assets
16 of the mill, including the economic and health issues
17 and making a stronger America are issues that I think
18 when you sit, as we did as a group of residents that
19 were overlooking the mill site and talking about these
20 issues, you really begin to realize that when people are
21 allowed to talk to each other that you almost always get
22 different points of view. And a lot of the people here
23 that I've spoken to outside this meeting are for the
24 mill. You realize that you have more in common than you
25 do when in opposition.

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1 And I'd like to see this format that we've
2 been seeing here for the last year with the involvement
3 of the county commissioners, the Montrose County
4 Commissioners, and people get up and they get to voice
5 their opinions are often misdirected because of a strong
6 emotion in one direction or another.
7 I would like to see a forum that would be a
8 more question and answer forum where people's assertions
9 could be answered directly. And I think it would be a
10 lot more educational for people, and I think you would
11 find that, that a lot of the, a lot of the
12 misinformation that people have been putting out on both
13 sides would be dissolved.
14 Right now we've been at this for more than
15 a year and I've learned quite a bit from the opposition
16 as well as people who are opposing the mill. And I
17 think that that's where this needs to go because there
18 are so many questions that need answers in health and in
19 environment and in economy and where is this, where is
20 this thing going, that could be answered and could be
21 challenged in a different format.
22 So I really hope that that's where we're
23 going with this because, you know, I think we're all a
24 little tired of everyone getting up and expressing their
25 emotions because, as you know, we need to deal with more

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1 than emotions, we need to get into a factual realm. And
2 I hope that we can do that.
3 Thanks.
4 JUDGE RICHARD J. BROWN: Thank you.
5 Dianna Reams.
6 DIANNA REAMS: Hi, I'm Dianna Reams,
7 I'm from Naturita and I do support the mill. I support
8 the mining activity. I support all responsible uses of
9 natural resources, including skiing, hiking, milling,
10 mining, hunting, whatever else that would be
11 responsible.
12 I wanted to discuss some financial and
13 economic issues that seem to keep coming up, and I know
14 you've heard this over and over again, but it just makes
15 me feel better to re-say it. Energy Fuels is a United
16 States of American corporation, they're based out of
17 Colorado, I believe. They're traded on the Toronto
18 Stock Exchange. It's not uncommon for companies to be
19 based in one country and traded on another's stock
20 exchange.
21 And people are concerned about their
22 financial soundness. They go through the publicly
23 traded stock exchanges to raise money so that they can
24 fund their projects. And that's just very natural for
25 people, they want to be repaid and they want to be

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1 repaid handsomely. Therefore, if Energy Fuels cannot
2 raise the money, then the project won't be built.
3 Simple as that. You guys require financial assurance,
4 if they can't provide that, you wouldn't approve the
5 permit. It's simple. Basic economics.
6 Again, about the boom and bust cycle of
7 uranium. All industries have a boom and bust cycle.
8 We're lucky enough in the Uravan Mineral Belt to also
9 provide vanadium to the steel industry and to this new
10 battery industry, that helps spread the risk, it helps
11 keep an alternate for its revenue. It helps curb that
12 boom and bust cycle, but everything has boom and bust
13 cycles. I don't see how you can avoid that.
14 And I agree with a lot of the rest of you
15 people, these public hearings, I think you've heard it
16 all, I think you've heard it all several times, and I
17 thank you for your patience.
18 JUDGE RICHARD J. BROWN: Thank you.
19 Joyce Schafer. Tammy Sutherland.
20 TAMMY SUTHERLAND: You guys are
21 starting to get that deer in the headlights look so I'm
22 going to make this really quick. And I know you guys
23 are tired, but we all are.
24 I think you just keep hearing over and over
25 and over and over and over again the same thing. And we

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1 try to answer them and it just seems to come back. I
2 think one of the gentlemen said you had a fiduciary duty
3 to say no to this thing. And I think you have a duty to
4 look at the facts instead of what's being said.
5 You know, there are a lot of people who are
6 sick who are in this industry, and there are a lot of
7 people who are sick who are out of this industry. One
8 way or another our family could come up with easily 180
9 names that somehow indirectly or directly were related
10 in this area and 98, 99 percent of them are healthy
11 adults. And we're starting to get up there and we're
12 healthy adults.
13 Yes, people get sick, but they get sick in
14 every industry or no industry at all. So we need to
15 look at the facts instead of, yes, this lady has three
16 people in her family that are sick and are dying, and
17 I'm sorry about that. Not all people in this industry
18 are sick, most of them are not.
19 We keep hearing about the Blanding Mill and
20 how it's not operational and so there's no need for it.
21 Well, we run everyday, we have a trucking company, we're
22 pulling 5 to 600 tons of ore to that mill every working
23 day. We're up and running. I don't know why these
24 issues just keep coming up. Let's work on facts.
25 Anyone who can say that there is no,

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1 there's not enough regulations in the industry obviously
2 doesn't work in the industry. And I say this with all
3 the love and respect that I can muster, but, you know,
4 we work one industry or aspect of the industry and we
5 have government agencies breathing down our necks
6 constantly to make sure that we do it right. And
7 rightly so. There's no disrespect in that comment, but
8 we have, we have volumes of policies and procedures and
9 laws that we have to follow. But yet we keep hearing
10 the same thing, no, there's no regulations.
11 Back when my dad was my age there wasn't
12 the policies and procedures in place that should have
13 been, but there are now. We are not dealing with
14 industries or mills that were built 50 years ago.
15 They're different.
16 So let's deal with the facts and let's get
17 away from the same old thing, well, you know, the wind,
18 and all this stuff. It's already been proven over and
19 over again that it's safer, it's not the safest, but
20 there is no such thing. We just need to go on, make a
21 decision, gather the information and make a decision.
22 We thank you for your service.
23 JUDGE RICHARD J. BROWN: Thank you.
24 That concludes the meeting this evening.
25 Thanks for coming. We are going to cease now. Be very

1 careful with your traveling and have a safe trip home.
 2 Thanks again.
 3 (The hearing was adjourned at 10:10
 4 p.m.)
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REPORTER'S CERTIFICATE

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 2
 3 I, Keith Rusk, do hereby certify that the
 4 said hearing was taken in shorthand by me at the time
 5 and place aforesaid and was reduced to typewritten form
 6 under my supervision; that the foregoing is a true
 7 transcript of the proceeding had.

8 My commission expires 3/3/10.

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Keith W. Rusk
 Court Reporter
 Notary Public