



Good morning,

I am Marilyn Crawford, a member of the Community Coalition Against Mining Uranium, a grassroots organization that opposes uranium exploration and mining in eastern Ontario. I have been studying the Ontario Mining Act and related regulations for seven years and have identified the issues, studied other jurisdictions and outlined recommendations for needed changes.

I thank the Source Water Protection Committee for the opportunity to present information about the Citizen's Inquiry into the Impacts of the Uranium Cycle hosted by CCAMU and the report that was released in June. I would also like to include information related to Appendix A: Response by MNDM to questions asked of the Ministry.

### **Part 1: The Citizen's Inquiry and Report**

In April of this year, CCAMU hosted The Citizen's Inquiry into the Impacts of the Uranium Cycle. The Citizens' Inquiry was sparked by the actions of many groups and the lack of response from government to address concerns and issues related to exploration for uranium in North Frontenac.

The Inquiry helped people to find common ground, and to be positive about the kinds of changes that are needed in public policy, changes that decision-makers need to hear. In summary, the impacts of uranium mining include: water contamination, negative impacts on air and airborne materials; impacts on local flora and fauna; health issues for those who work at the mine or live in proximity to the mine; a loss of property value; and damage to the natural landscape.

Members of the public were invited to make their views known at forums with both afternoon and evening sessions, held as follows:

- Tuesday, April 1, St. Andrew Anglican Church, Sharbot Lake,
- Tuesday, April 8, Queen Street United, Kingston
- Tuesday, April 15, Sadleir House, Peterborough
- Tuesday, April 22, Rideau Park United Church, Ottawa.

Presentations made in person at the inquiry sessions included written material, oral presentations with slides, audio and video formats, poems and songs. Participants were invited to share their experiences, thoughts, concerns, knowledge and expertise on issues and facts related to the uranium cycle.

There were a total of 230 written submissions, and 157 presentations, the latter limited to ten minutes. The Inquiry witnessed the high degree of awareness and concern from a broad range of community members and was backed up by facts from experts. Presentations were made to a panel whose role it was to hear presentations from those appearing before the Inquiry and to do so objectively. Panel members had an opportunity to ask questions of clarification of the presenters, during a 30 minute period at the end of each afternoon and evening session. Panel members prepared oral and written comments, including observations, a summary of the content of presentations, and their own recommendations. Submissions to the Inquiry are available on line at [www.uraniumcitizensinquiry.com](http://www.uraniumcitizensinquiry.com) .

The Inquiry built on the growing concern expressed by twenty municipal Councils, including the cities of Ottawa, Kingston and Peterborough and three counties, several not-for-profit organizations, First Nations and thousands of Ontario residents who have petitioned the Ontario government for a public review of the Mining Act and/or a moratorium on uranium exploration and mining in eastern Ontario. A copy of these is provided in Appendix B

I would like to present this committee with the report called 'Staking our Claim for a Healthy Future' which is the outcome of the Citizens' Inquiry into the Impacts of the Uranium Cycle.

This report:

- captures the essence of the inquiry
- fills a gap in information that the government does not have-the unheard voice of communities that compiles issues and concerns that are backed by facts.

'Staking our Claim For a Healthy Future' makes crucial recommendations to the provincial and federal governments for a path forward to address concerns, resolve problems and reconcile with those affected by uranium cycle.

Key recommendations call on government to put the health of people before any development involving uranium and to consider the full cost of nuclear power generation before investing more of taxpayers' dollars.

The report can be found at

[www.ccamu.ca/pdfs/inquiry-report.pdf](http://www.ccamu.ca/pdfs/inquiry-report.pdf)

## Part 2: The response of MNDM to this SWPC

### Issue 1: Research of other jurisdictions

"We have researched mining legislation in other jurisdictions..." A quote from Appendix A: Response provided by the Ministry of Northern Development and Mines (MNDM) contained in the agenda package for the SWPC August 7, 2008 section 5 (a) page 27

- There is neither indication of the extent nor findings of the research.

The MNDM jurisdictional review is found in Appendix C.

I draw your attention to Newfoundland and Labrador, requiring restoration of exploration site within a field season and financial assurance to ensure that exploration sites are restored.

### Issue 2: Scope and timing

"... and we're currently working through details such as scope and timing. This will be a complex and lengthy undertaking" A quote from Appendix A: Response provided by the Ministry of Northern Development and Mines (MNDM) contained in the agenda package for the SWPC August 7, 2008 section 5 (a) page 27

- The scope has already been determined and does not include uranium.
- Changes will be brought forward by the end of the year.

See Appendix D for the announcement

### Issue 3: Federal and Provincial regulating uranium

Both the provincial and federal governments point to each other as the regulating body for uranium exploration.

A quote from the Ottawa Citizen article August 6, 2008 Appendix E "The Ontario government is launching a series of public consultations next week to discuss modernizing the Ontario Mining Act, but Minister Gravelle says "Uranium will not be included in the review because it is ordinarily governed at the federal level, said Mr. Gravelle..."

"A memo, dated Jan. 15, 2008, obtained by Ottawa researcher Ken Rubin under the Access to Information Act represents the first indication of the federal position on the Frontenac controversy. Under a section titled "Federal Response," the briefing document states that Ottawa is "monitoring events closely" but emphasizes that "**exploration is a provincial responsibility.**" The memo also says that "exploration drilling for uranium should not have a significant environmental impact."

"This has boiled over into calls for a moratorium in these areas - so far, this is a provincial matter to sort out - **if they get to the development stage**, these companies will have to deal with the CNSC [Canadian Nuclear Safety Commission] and there will be all kinds of opportunity for public consultation," the document says.<sup>1</sup>

Exploration is regulated provincially and we are not in the development stage. So far neither the provincial nor federal governments are addressing our concerns.

Issue 4: No significant risk to ground or source water

"For typical uranium exploration using drilling, there is no significant risk to ground or surface water above that of other drilling."<sup>2</sup>

Typical drilling does not have:

- the number of holes
- the depth
- an open system that is not capped

A sample of jurisdictions that do have concern about drill holes is found in [Appendix F](#) and [Appendix G](#) which shows a notice of violation against Cameco/Power Resources for drill holes and monitoring wells.

Issue 5: Capping and plugging drill holes

The purpose of the Mining Act is to encourage exploration and the development of mineral and minimizing the impact on the environment and public health and safety **through rehabilitation** of Mining Lands

- restoration is not required at the preliminary stage, including capping of drill holes,
- issues of health and safety are not considered at this stage

Issue 6: Best practices of Prospectors and Developers Association of Canada

- there is no requirement to belong to PDAC
- no requirement to follow best practices

Issue 7: Uranium exploration in other jurisdictions

The response by MNDM does not mention that other jurisdictions have taken action to address the concerns about uranium exploration and mining. This is regardless of the percentage of uranium or the federal jurisdiction over development and mining.

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<sup>1</sup> G&M MINING REPORTER ANDY HOFFMAN: July 29, 2008 Ottawa rejects call to guide uranium drilling:

<sup>2</sup> Appendix A: Responses to questions by SWPC

See Appendix H Other Provinces take action...

Nova Scotia: An all-party committee of the Nova Scotia legislature has reaffirmed its support for the province's moratorium on uranium mining. April 15, 2008

British Columbia: has slapped an official moratorium on uranium exploration and development in the province, reinforcing a long-standing informal ban on the nuclear fuel. April 25, 2008

New Brunswick:

- has adopted guidelines of Saskatchewan whether or not uranium mineralization content is low.
- recently announced new regulations to address public concerns and protect drinking water.
- The Department of Natural Resources recently enhanced drilling requirements for uranium exploration to include more specific rules designed to protect the environment and the health of New Brunswickers.

Labrador:

- An energy company has been given approval to test-drill for uranium in a Labrador lake, but will need to have an environmental monitor in place. Feb. 19, 2007

This brings me to the end of my presentation. I hope that you will consider this information and that it will help you to decide if MNDM has adequately addressed your concerns.



## Appendix B

August 7, 2008

### Municipal Councils asking for a moratorium on uranium development and/or changes to the Mining Act.

City of Ottawa	City of Kingston	Lanark County	Frontenac County
Lanark Highlands	North Frontenac	Central Frontenac	South Frontenac
Tay Valley	Beckwith	Town of Perth	Town of Carleton Place
Mississippi Mills	Drummond/North Elmsley		Haliburton County
Municipality of Dysart	Algonquin Highlands	Highlands East (Haliburton)	
Minden Hills	City of Peterborough,	Peterborough County	City of Kawartha Lakes

### Organizations calling for suspension of uranium development in Eastern Ontario:

David Suzuki Foundation	Greenpeace Canada
Amnesty International	United Church of Canada
Mining Watch Canada	
Algonquin to Adirondacks Conservation Association	
National Farmers Union	Lanark Landowners' Association
Ontario Landowners' Association	Glengarry Landowners' Association
Dalhousie Lake Association	Malcolm Lake Landowners Association
McDonalds Corners & Elphin Recreation & Arts	Buckshot Lake Cottagers Association
Ardoch Algonquin First Nation	Shabot Obaadjiwan First Nation
Algonquins of Ontario	Mississippi Lake Association
White Lake Cottage Association	Land O'Lakes Tourist Association
Mississippi Valley Conservation	Mississippi Valley Field Naturalists
Bedford Mining Alert	Citizens' Mining Advisory Group (CMAG)
Friends of the Tay Watershed Association	ACTCity, Ottawa
Ottawa Coalition Against Mining Uranium	Ecology Ottawa
International Land Coalition	Ontario Nature
Crain Construction	Physicians for Global Survival
Fight Uranium Mining/Exploration (FUME)	Safe and Green Energy (SAGE)
Community Coalition Against Mining Uranium (CCAMU)	

## Appendix C

August 7, 2008

Email from Roy Spooner MNDM June 24, 2008

### Summary of Requirements to Begin Mining Exploration by Jurisdiction

#### Newfoundland

- A permit is required before work begins; “exploration approval”
- Consent of the surface owner is required
- Compensation to surface owner for “injury or damage”
- No regulated standards for surface restoration, only guidelines (excepting in the Labrador Inuit Land Claim Area) – backfill trenches and control siltation

#### **RESTORATION**

Regardless of location or size, all pits must be restored before abandonment. Restoration steps to be taken before abandonment are:

- clean up;
- drainage and erosion control;
- recontouring;
- overburden replacement;
- revegetation.

Although the pit and surrounding areas should be kept as clean as possible throughout the operation, any garbage or debris must be completely disposed of at an approved waste disposal site prior to pit abandonment. When revegetation is required, adequate drainage control measures must be taken. These might include:

1. constructing a berm at the top of the slope to stop water from running into the pit;
2. laying brush and slash across the slope to slow run-off and hold back sediment; and
3. directing run-off away from the pit by cutting drainage ditches or pumping.

When the pit is totally abandoned, the slopes of the pit should be graded to a suitable angle of repose no steeper than two horizontal to one vertical (2:1). The final shape of the pit should blend into the natural contour of the land. If pit walls cannot be graded to the suitable angle of repose (2:1), the recontoured slope should be gently stepped to help reduce erosion.

All overburden removed and stockpiled when the pit was opened up must be spread evenly over the pit floor and the recontoured side walls. If the pit was designed properly, there should have been a space left between the overburden stockpile and the surrounding forest so that equipment can easily get behind the overburden to push it down into the pit. The topsoil stored/salvaged, if any, when the pit was opened, must now be spread over the overburden. The topsoil contains seeds and organic material that will help vegetation regrow. Without any topsoil, natural revegetation is a much slower process.

Once the pit has been recontoured and any overburden and topsoil have been replaced, one of the following decisions must be made in consultation with the Department of Environment and Labour keeping in mind the final land use and factors such as climate, type of surface and its moisture holding capabilities:

1. allow natural revegetation with no assistance;
2. allow natural revegetation with some assistance; or
3. completely assist revegetation.

Generally, the best guide is to undertake a revegetation method that encourages a return to conditions as close as possible to those that existed before operations commenced

**NEWFOUNDLAND AND LABRADOR  
REGULATION 39/07**

*Mineral Exploration Standards Regulations*  
under the *Labrador Inuit Land Claims Agreement Act*  
(O.C. 2007-153) (Filed March 30, 2007)

Under the authority of section 11 of the *Labrador Inuit Land Claims Agreement Act*, the Lieutenant-Governor in Council makes the following regulations. Dated at St. John's, March 30, 2007.

area is remediated to the point where the area:

- Is safe and stable.
- Is restored as near as reasonable to its pre-disturbance condition.
- Has its environmental values safeguarded.
- Has an appropriate sustainable ecosystem.

**11.2** The Applicant must submit a Reclamation and Closure Plan to the Nunatsiavut Government for approval as part of the Work Plan. If the Exploration Program to which the Work Plan relates is a multi year program the Reclamation and Closure Plan must provide an estimate of the number of seasons during which Exploration will be carried out and an initial estimate of date of final termination of Exploration and closure of the Site. Where applicable, the Reclamation and Closure Plan must include details of progressive reclamation.

**11.3** The Applicant must make efforts to minimize disturbance throughout the Exploration Program in order to reduce the amount of Reclamation effort to be taken upon completion of the Program.

**11.4** Reclamation and Closure of an Exploration Program must include the following:

- Removal of all equipment and materials, garbage, broken equipment and other waste material.
- Removal of all pickets used for Exploration surveys when no longer required for ground control, except for wooden pickets with small pieces of flagging tape or metal attached.
- Removal of all wire or other extraneous materials such as non-biodegradable flagging tape on completion of fieldwork.
- Reclamation of all drill sites, trenches, camp sites, fuel storage sites and all other workings in relation to Exploration.
- Backfill and/or re-sloping of all disturbed areas with topsoil and organic material placed on top

*Mineral Exploration Standards Regulations 39/07*  
*The Newfoundland and Labrador Gazette March 30, 2007*  
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- Stabilization of all disturbed areas including trench locations, sections of trails, drill sites and camp sites that could cause siltation into nearby bodies of water
- Inspection and maintenance programs for structures that are required for more than one year after temporary closure or final termination of the Exploration Program.
- Reclamation and stabilization of all water management (runoff control) structures
- Measures to provide for the continued security and integrity of diamond drill core that is to remain at the Exploration Site during the period of mineral tenure.
- Measures to test for and remove any core samples that are potentially acid generating, or to reclaim or permanently control any core samples that are potentially acid generating and that are permitted to remain at the Site.
- Measures to test for and to remove any core samples that exceed normal background radiation levels.
- Reclamation of core sample boxes.
- Permanent measures to control potential erosion and siltation along abandoned Exploration access roads such as culverts and retaining banks
- Stockpiling of any topsoil and overburden removed for Exploration work in mounds of 1-2 metres maximum height in an area where they will not be disturbed.

- Replacement of any overburden or topsoil that was removed for Exploration purposes. Whenever possible, the replacement of overburden and topsoil must be undertaken progressively during the Exploration Program, as soon as the Site is no longer needed for the Program.

**11.5** If revegetation of disturbed areas is required for reclamation purposes, only local plant species may be used.

*Mineral Exploration Standards Regulations 39/07*

*The Newfoundland and Labrador Gazette March 30, 2007*

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**11.6** The Plan Holder must monitor the reclamation process based on the following criteria:

- Soil/slope stability and resistance to erosion
- re-establishment of drainage.
- plant density
- water quality standards for drainage water
- other regulatory requirements
- public safety issues
- aesthetic value.

**11.7** Before final approval of the completed Reclamation and Closure Plan and release of the financial security, the Plan Holder may be required to return to a Site to undertake any incomplete reclamation work.

## **Section 12: Financial Security**

**12.1** The Plan Holder shall provide financial security as part of an Approved Work Plan and the Work Plan must specify the amount of the financial security to be provided. The amount must be sufficient for the purposes set out in Section 12.2.

**12.2** The financial security shall be provided for the following purposes:

- (a) to rehabilitate the environmental effects of an accident or other unplanned event;
- (b) to rehabilitate the environmental effects of a failure to comply with the approved Work Plan or these Standards;
- (c) to guarantee completion of a Reclamation and Closure Plan; and
- (d) to reimburse the Governments for the costs of a minimum of one mid-season compliance monitoring visit and one post*Mineral*

## Nova Scotia

- Consent of the surface owner required prior to any work for mineral exploration, sampling or development
- Mineral rights provide no right of entry on lands
- "Non-disturbance" activities (prospecting) may proceed with consent of surface owner
- Trenching, bulk sampling, shaft/ramp development requires an "Excavation Registration" with the Registrar
- "Reclamation bond" may be required; not normally required unless activity is significant or mineral right holder has a poor record
- Drilling requires drilling notice filed with the Registrar
- Excavation and Drilling Notices are shared with the Environment Dept. for possible inspections
- Exploration Monitor geologist may inspect to confirm if reclamation work satisfactory

## New Mexico

- New law in 2007 "Surface Owner's Protection Act"
- Must give the owner five days written notice prior to surveying and staking and 30 days written notice for oil and gas operations

- With the notice there must be enough detail of (what, where and how) the operation for the surface owner to understand the impact.
- Operator must propose a surface use and compensation agreement
- Proposed agreement to include details for closure of pits and general surface reclamation
- Surface owner has 20 days to accept agreement or propose changes
- Disputes go to State District Court
- Operators required to leave the surface as they found it

### Saskatchewan

- “Best Management Practice (BMP-013) Restoration” several Acts and Regulations require:
- An application for exploration permit including plans for reclamation measures
- Road closures
- All infrastructure, facilities and wastes removed at conclusion of program
- Approval required for any storage
- Water works, intakes, culverts, docks, bridges removed unless otherwise authorized by DOF Canada
- Surface disturbances re-contoured to original state
- Soil horizons replaced
- Slash material used to cover and worked into surface where there may be erosion
- Reseeding of native plants
- Stabilize soils to prevent erosion
- All restoration and road closures prior to abandonment
- Closure report

### Alberta

- Mostly geared to gas and oil exploration
- Environmental Protection and Assessment Act (EPEA) requires reclamation certification for exploration operations that result or may result in surface disturbance
- Exploration approval permits
- The surface owner can set terms and conditions for restoring to specified land use or aesthetics but subject to EPEA if impacting public resources (e.g. water)
- May also be enforced by the “Surface Rights Board”

### British Columbia

- Progressive reclamation is encouraged
- Increasing amounts of disturbance causes increased reclamation securities
- The Mines Act and The Health, Safety and Reclamation Code require:
- Reclamation of mechanically disturbed sites, campsites and exploration access within one year of cessation of exploration unless authorized in writing by an inspector
- All pits and trenches back-filled eventually
- Inspector can order the work stopped and initiate court action

## Appendix D

August 7, 2008

[http://netnewsledger.com/index.php?option=com\\_content&task=view&id=1096&Itemid=26](http://netnewsledger.com/index.php?option=com_content&task=view&id=1096&Itemid=26)

### **Ontario Government Announces Mine Act Meetings**

Tuesday, 05 August 2008

"A vibrant mining industry adds wealth to our economy and offers tremendous benefits for our communities," said Northern Development and Mines Minister Michael Gravelle. "We want to support that industry with a Mining Act that reflects the values of today's society."

Gravelle's Ministry, Northern Development and Mines, and the Ontario government are scheduling a series of public and stakeholder meetings about modernizing the Mining Act. Facilitated public and stakeholder sessions will be held in Timmins (August 11), Sudbury (August 13), Thunder Bay (August 18), Kingston (August 28) and Toronto (September 8).

According to the MNDM office, "These sessions are the first step in a consultation approach that will also include focused discussions with the minerals industry, municipalities and other stakeholders, First Nations and Métis leaders, as well as input from First Nations communities across Ontario. On August 11, a discussion paper will be posted for comment on the Environmental Registry and the ministry's web site". ([www.mndm.gov.on.ca](http://www.mndm.gov.on.ca))

This process will help ensure that the proposed legislation promotes fair, balanced and sustainable development that benefits all Ontarians. It supports Premier Dalton McGuinty's July 14 announcement that Ontario is going to modernize the way mining companies stake and explore their claims to be more respectful of Aboriginal communities and private land holders.

<http://www.canada.com/ottawacitizen/news/story.html?id=30746066-6646-4220-bb2d-2a2a406f5c89>

## Appendix E

### *Ontario aims to revise mining act*

#### **Uranium talks not on the table; avoiding the topic a mistake, critic says**

#### **Jessey Bird, The Ottawa Citizen Wednesday, August 06, 2008**

The Ontario government is launching a series of public consultations next week to discuss modernizing the Ontario Mining Act, but one topic that won't be up for discussion is the recent calls for a provincial ban on uranium mining, the minister responsible says.

Aboriginal groups as well as some non-native Eastern Ontarians have been at odds with mining companies, which can legally stake mining claims on private land if the owners don't possess the mineral rights.

"My first reaction is that it is a really good thing that this is happening," said Marilyn Crawford of the upcoming public meetings. Ms. Crawford is on the board of Mining Watch Canada and is also a member of the Community Coalition Against Mining Uranium. "But I think they are making a big mistake by not including uranium in the discussions."

The group recently released a report demanding uranium exploration be suspended in Ontario until its impact on health, the environment and aboriginal land rights is addressed.

The provincial government has made it very clear that even though there are no operating uranium mines in Ontario, it will not consider a moratorium.

The consultations are aimed at promoting "fair, balanced and sustainable development" under a revised mining act, the mining ministry said in a statement. Aboriginal leaders have battled with provincial authorities over mining companies' legal right to explore on native land, and the statement promises aboriginals will be heavily involved in future consultations.

"We want to continue to be in a position to take advantage of the extremely positive economic climate relating to the mining sector," said Michael Gravelle, minister of northern development and mines. "On the other hand, it is important that there be a greater respect shown to the needs and aspirations of our First Nations community."

Uranium will not be included in the review because it is ordinarily governed at the federal level, said Mr. Gravelle, adding that the issues surrounding separate surface and mineral rights will be up for discussion. The ministry will release a paper on Monday that will outline the full scope of the talks, he said.

"One of the concerns I have is that the discussion paper may limit the scope of the review," said Ms. Crawford. "I'm just wondering if it is going to be limited to property-rights issues and if it is not going to address a lot of the other problems there are with the mining act -- like lack of environmental assessment."

The Ontario Mining Act was passed in 1868 and has changed little since. Mr. Gravelle has promised to submit legislation that will update the act before the end of 2008.

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## Appendix F

August 7, 2008

### Examples of other jurisdictions having concerns about drill hole safety.

The State Government of Victoria, Australia, Department of Primary Industries, Guidelines for Environmental Management in Exploration and Mining.

*(2) Poor drilling practices can result in groundwater misuse, wastage or degradation from flowing bores, or exchange of waters from different aquifers via drillholes. Ingress of materials and surface water directly down drillholes can also cause groundwater pollution.*

Source:

[http://www.dse.vic.gov.au/DPI/nrenmp.nsf/9e58661e880ba9e44a256c640023eb2e/61839ca05e2f0250ca2573b600806acb/\\$FILE/ATTPZDJN/2%20GFEM%20-%20Drillholes.pdf](http://www.dse.vic.gov.au/DPI/nrenmp.nsf/9e58661e880ba9e44a256c640023eb2e/61839ca05e2f0250ca2573b600806acb/$FILE/ATTPZDJN/2%20GFEM%20-%20Drillholes.pdf)

#### **Government of Western Australia:**

*Exploratory drilling has the potential to impact on the environment in a variety of ways. Impacts of drilling may be exhibited in any of the following areas:*

- Groundwater aquifers
- Wetlands
- Waterways – Estuaries, rivers and streams

*In addition to aquifer protection requirements, abandoned open or unstable drillholes are a physical hazard to people, stock, native animals and to foundations of structures constructed over these drill sites.*

Source: [http://www.doir.wa.gov.au/documents/environment/Exploration Rehab Activities](http://www.doir.wa.gov.au/documents/environment/Exploration_Rehab_Activities)

#### **Tennessee Government (USA):**

*The applicant is responsible for complying with testing, monitoring, prevention of hazards and pollution, and all other requirements pertaining to the drilling, coring, and plugging and abandoning of mineral test holes.*

Source: <http://state.tn.us/environment/permits/mineral.shtml#myright>

#### **Government of Saskatchewan:**

- A minimum 100-meters must be maintained between the drill site clearing and any water body or watercourse...
- ...drilling effluent shall be contained...
- Where possible all efforts shall be used to prevent drill mud, return water, and cuttings (sludge) from running uncontrolled from the site or to within 100 meters of a water body or watercourse. Appropriate erosion control measures may need to be implemented.
- Drill mud solids or cuttings with a uranium concentration greater than 0.05 per cent are to be collected and then disposed of down the drill hole and sealed.
- Any drill hole that encounters mineralization with a uranium content greater than 1.0% over a length > 1 meter, and with a meter-percent concentration > 5.0, will be sealed by grouting over the entire length of the mineralization zone and not less than 10 meters above or below each mineralization zone.

Source:

<http://www.ir.gov.sk.ca/adx/asp/adxGetMedia.aspx?DocID=4718,3457,3451,3385,5460,2936,Documents&MediaID=18148&Filename=MineralExplorationGuideline.pdf>

Appendix G: Notice of Violation

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO )  
Power Resources Inc. ) DOCKET NO. 4314-08  
P.O. Box 1219 )  
Glenrock, Wyoming 82637 )  
RE: Drilling Notification DN236 )


NOTICE


NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation (NOV) is being sent to you pursuant to the Environmental Quality Act (ACT), Wyoming Statute (W.S.) §35-11-701(c)(i), which requires that a written notice be issued in the case of failure to correct or remedy an alleged violation.
2. On June 26, 2008 an inspection of Drilling Notification (DN) 236 was conducted by Jennifer Bowers of the Wyoming Department of Environmental Quality, Land Quality Division (LQD), District I office. The areas covered during the inspection were located in Township 35N, Range 74W, Section 18 and Township 37N, Range 74W, Section 35 and 36 in converse County.
3. Drill holes were not properly abandoned. This is a violation of W.S. § 35-11-404(c)(iii).
4. Drill holes were not immediately capped following drilling. This is a violation of W.S. § 35-11-404(b).
5. Monitoring wells lacked a proper well cap and inadequate surface seals, which are violations of Chapter 11 Section 6 (b) (A) (ii) and (c) of the LQD Noncoal Rules and Regulations.
6. Drill hole sites were not properly backfilled, contoured and seeded for surface restoration. This is a violation of W.S. § 35-11-404(c)(v).
7. Plugging and abandonment had not occur as reported in the 2007 abandoned drill hole report and drill holes were incorrectly reported in the DN236 2007 abandoned drill hole report. This is a violation of W.S. § 35-11-901(k).
8. In addition, a records search found PRI has failed to submit abandoned drill hole reports to the LQD for 2002, 2003 and 2004 report periods. This is violation of W.S. § 35-11-404 (g).
9. W.S. § 35-11-901(e) provides that any person who violates any provision of the ACT or any rule, standard, permit, license or variance adopted there under is liable to a penalty of ten thousand dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming.

NOTHING IN THE NOTICE shall be interpreted to in any way limit or contravene any other remedy available under the ACT, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

DATED THIS 17 day of July, 2008.

  
Donald R. McKenzie  
Administrator  
Land Quality Division

  
John V. Corra  
Sector  
Department of Environmental Quality

PLEASE DIRECT ALL INQUIRIES regarding this Notice of Violation to Lowell Speckman, Land Quality Division District 1 Supervisor, 122 West 25<sup>th</sup> Street, Cheyenne, WY 82002, telephone (307) 777-7052.

Attachment: June 26, 2008 Inspection Report

## Appendix H

August 7, 2008

### Other Provinces Take Steps to Limit Uranium Development

**New Brunswick has recently announced new regulations to address public concerns and protect drinking water.**

As reported by the Canadian Press, "New Brunswick's natural resources minister has announced new regulations for uranium exploration and claim staking that he says will address public concerns and protect drinking water. Donald Arseneault says uranium exploration and mining are no longer permitted in designated watersheds, in municipalities, or within 300 metres of residential or institutional buildings." July 4, 2008

CBC reports that, "New government regulations in New Brunswick will limit uranium exploration and staking of claims. The province announced on Friday that exploration is now banned on municipal land and in watersheds and fields with private wells. Claims will also not be allowed to be staked within 300 metres of private homes. The new regulations are retroactive and exploration in previous claims in areas that are now banned will not be able to continue."

#### **Natural Resources**

#### **Province amends uranium exploration and mining regulations (08/07/04)**

NB 982

July 4, 2008

FREDERICTON (CNB) - New uranium exploration and mining regulations to better protect drinking water supplies and improve the claims-staking process for property owners have been announced by Natural Resources Minister Donald Arseneault and Environment Minister Roland Haché.

"Our government heard the concerns of the people of New Brunswick and we have responded," said Arseneault. "These changes are consistent with New Brunswick's public policy approach of being proactive in protecting designated drinking water supplies, and they address the issues of access to private landowners' property."

Uranium exploration and extraction in designated watersheds and well fields, as well as in villages, towns and cities, is now prohibited. In addition, all mineral-claims-staking activity in the province is suspended until a new map-staking system can be implemented.

"Protecting New Brunswick's drinking water supply is a priority of our government as we strive to achieve self-sufficiency by 2026," said Haché. "We are committed to ensuring that everyone in New Brunswick has access to clean water, clean air and a sustainable environment."

Arseneault said that the method of acquiring mineral rights will be changed from the current ground-staking method to an electronic on-line map-staking system. Other initiatives will focus on appropriate buffering and landowner permission for any possible intrusive uranium exploration or development on private land.

"These new initiatives will serve to protect landowners and alleviate some of their concerns about unauthorized access onto their properties," said Arseneault. "In addition to these changes, our government has committed to a full review of the Mining Act. As part of that process we intend to take the opportunity to make other adjustments to ensure that landowner concerns are addressed. The review will also take into consideration concerns around compliance and enforcement."

The Department of Natural Resources recently enhanced drilling requirements for uranium exploration to include more specific rules designed to protect the environment and the health of New Brunswickers.

The Department of Environment is responsible for overseeing and enforcing the Clean Water Act.

### **Nova Scotia recently renewed a moratorium on uranium exploration and mining.**

Nova Scotia Politicians Back Uranium Mining Ban

CBC News  
April 15, 2008

An all-party committee of the Nova Scotia legislature has reaffirmed its support for the province's moratorium on uranium mining.

The standing committee of resources passed the motion unanimously Tuesday after a two-hour presentation by the province's main mining association on why the ban should be lifted.

"We are not interested in having the moratorium stand in the way of legitimate mining," said Graham Steele, the New Democrat MLA who proposed the motion.

"We understand the uranium moratorium as it's currently worded can, in some circumstances, stand in the way of the development of a healthy mining sector. So we're all for the removal of those kinds of impediments, while leaving the uranium in the ground where it belongs."

The motion also calls on the province to consider allowing exploration for other minerals even if uranium turns up during the search.

Steele said it's now up the provincial government to appoint a committee to review whether it's possible to mine other minerals without disturbing uranium deposits.

Gordon Dickie, president of the Mining Association of Nova Scotia, told the committee that Nova Scotia is sacrificing tens of millions of dollars in possible exploration because of the moratorium.

Nova Scotia banned uranium exploration in 1982 after rural residents complained about the environmental risks.

Canada produces about one-third of the world's uranium, making it the Top producer around the globe. Uranium is used in nuclear power plants to produce electricity.

### **British Columbia recently renewed a ban on uranium projects**

B.C. shuts door on uranium projects

WENDY STUECK

April 25, 2008

VANCOUVER — British Columbia has slapped an official moratorium on uranium exploration and development in the province, reinforcing a long-standing informal ban on the nuclear fuel and dashing the hopes of companies that hoped to take advantage of soaring prices for the commodity.

The ban, announced yesterday, makes B.C. a no-go zone for uranium and confirms a moratorium put in place in 1980 by a previous government responding to anti-nuclear sentiment in the province.

That moratorium lapsed in 1987 but subsequent governments did not move to update it, as companies focused their exploration campaigns on other metals and because there was a widespread view that uranium production would be unpopular in the province.

That changed in recent years, as uranium prices more than doubled and climate change concerns put emissions-free, uranium-fed nuclear power plants in the spotlight.

Labrador:

Monday, February 19, 2007 | 10:51 AM NT  
CBC News

An energy company has been given approval to test-drill for uranium in a Labrador lake, but will need to have an environmental monitor in place.

Aurora Energy Resources plans to start its winter drilling program through ice at Melody Lake on March 15.

Aurora Energy, which is attempting to determine whether there is a commercially significant uranium deposit at the Melody Lake site, has been aggressively exploring for uranium in Labrador for years.

Terry Rice, a Makkovik resident who chairs a committee with the Inuit community's government, said people are relieved by the government's change of heart.

"We are thankful the minister realized the need for an independent third party on site to monitor the drilling program," Rice said.

"We'd like to see this made mandatory for all exploration in the Labrador Inuit settlement area."