

DIVISION OF RECLAMATION, MINING AND SAFETY

ANTICIPATED SCHEDULE

STAKEHOLDER MEETINGS AND FORMAL RULEMAKING HEARING BEFORE THE MINED LAND RECLAMATION BOARD

March 24, 2009

In the 2008 legislative session, the Colorado General Assembly passed three bills, which became law upon the Governor's signature: House Bill 1161 (uranium), Senate Bill 228 (prospecting) and Senate Bill 169 (fees). The Division of Reclamation, Mining and Safety ("Division") intends to conduct a rulemaking process to implement such laws as follows:

- The Division will prepare a draft set of proposed regulations addressing this legislation and related matters, as well as conforming amendments. The Division anticipates holding informal stakeholder meetings on the draft set beginning in late spring or early summer of 2009. Please visit the Division's website at www.mining.state.co.us for updates on the schedule for stakeholder meetings. At the stakeholder meetings, the Division will solicit comments on the draft set of proposed regulations and may amend the draft set accordingly. Any comments made during the stakeholder meetings, whether written or verbal, will not become part of the formal rulemaking record.
- After holding the stakeholder meetings, the Division will present the Mined Land Reclamation Board ("Board") with a set of proposed regulations. It will request the Board to issue a Formal Notice of Rulemaking. The Formal Notice of Rulemaking will initiate the formal rulemaking process before the Board.
- After the Board issues a Formal Notice of Rulemaking, the Division anticipates that the Board may appoint a pre-hearing conference officer who may issue pre-hearing orders or, if no pre-hearing officer is appointed, the Division itself may issue such orders. The Division anticipates that one of the pre-hearing orders will require any person who wishes to participate as a party in the formal rulemaking hearing to sign up with the Division *by a date certain*. The Division anticipates that other pre-hearing orders will include a schedule for the submittal of written comments and briefs to the Board *by a date certain* and a schedule for the formal rulemaking hearing. It will include provisions for the amount of time each party will have to make an oral presentation before the Board. The Division anticipates that oral presentation times will be limited and therefore, the Division will strongly

encourage parties to submit written comments. *Written comments and briefs submitted to, and filed with, the Board subsequent to the issuance of the Formal Notice of Rulemaking or pursuant to pre-hearing orders will become part of the formal rulemaking record.* All pre-hearing orders will be posted on the Division's website.

- The Board will schedule and conduct a formal rulemaking hearing. Notice of the hearing will be posted on the Division's website. Upon consideration of written submittals and oral presentations, the Board may amend the proposed regulations. After holding the rulemaking hearing, the Board will deliberate on the proposed regulations and vote on whether to adopt them.
- This Anticipated Schedule is subject to change by the Division and the Board.
- The Division encourages members of the public to visit the Division's website for updates on rulemaking matters at www.mining.state.co.us.

**DIVISION OF RECLAMATION, MINING AND SAFETY
ANTICIPATED SCHEDULE - STAKEHOLDER MEETINGS
AND
FORMAL RULEMAKING HEARING
BEFORE THE MINED LAND RECLAMATION BOARD**

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Stakeholder Meetings

<p>The Division will prepare a draft set of proposed regulations addressing this legislation and related matters, as well as conforming amendments.</p>	<p>The Division anticipates holding informal stakeholder meetings on the draft set beginning in late spring or early summer of 2009.</p>	<p>At the stakeholder meetings, the Division will solicit comments on the draft set of proposed regulations and may amend the draft set accordingly.</p>	<p>Any comments made during the stakeholder meetings, whether written or verbal, will not become part of the formal rulemaking record.</p>
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(Please visit the Division's website at www.mining.state.co.us for updates on the schedule for stakeholder meetings.)

After holding the stakeholder meetings

<p>After holding the stakeholder meetings, the Division will present the Mined Land Reclamation Board ("Board") with a set of proposed regulations.</p>	<p>The Division will request the Board to issue a Formal Notice of Rulemaking.</p>	<p>The Formal Notice of Rulemaking will initiate the formal rulemaking process before the Board.</p>
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After the Board issues a Formal Notice of Rulemaking

<p>After the Board issues a Formal Notice of Rulemaking, the Division anticipates that the Board may appoint a pre-hearing conference officer who may issue pre-hearing orders.</p>	<p>If no pre-hearing officer is appointed, the Division itself may issue such orders.</p>	<p>The Division anticipates that one of the pre-hearing orders will require any person who wishes to participate as a party in the formal rulemaking hearing to sign up with the Division <i>by a date certain</i>.</p>	<p>The Division anticipates that other pre-hearing orders will include a schedule for the submittal of written comments and briefs to the Board <i>by a date certain</i> and a schedule for the formal rulemaking hearing.</p>
<p>Provisions will be made for the amount of time each party will have to make an oral presentation before the Board.</p>	<p>The Division anticipates that oral presentation times will be limited and therefore, the Division will strongly encourage parties to submit written comments.</p>	<p><i>Written comments and briefs submitted to, and filed with, the Board subsequent to the issuance of the Formal Notice of Rulemaking or pursuant to pre-hearing orders will become part of the formal rulemaking record.</i></p>	<p>All pre-hearing orders will be posted on the Division's website.</p>
<p>The Board will schedule and conduct a formal rulemaking hearing. Notice of the hearing will be posted on the Division's website.</p>	<p>Upon consideration of written submittals and oral presentations, the Board may amend the proposed regulations.</p>	<p>After holding the rulemaking hearing, the Board will deliberate on the proposed regulations and vote on whether to adopt them.</p>	

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