

5 APPLICABLE LAWS AND REQUIREMENTS

This chapter presents the laws and other requirements that could affect implementation of the alternatives for managing the ULP described in the ULP PEIS.

A number of Federal environmental laws could potentially affect environmental protection, health, safety, compliance, and consultation at the lease tracts discussed in the ULP PEIS. In addition to certain environmental requirements that have been delegated to state authorities for enforcement and implementation, state legislatures have adopted laws to protect health and safety and the environment. County governments often use the powers delegated to them to pass ordinances and plans to protect their citizens and resources. It is DOE policy to conduct its operations in a manner that assures the protection of public health, safety, and the environment through compliance with all applicable Federal, state, and county requirements.

Federal environmental, cultural, and health and safety laws are summarized in Section 5.1. State of Colorado potentially applicable laws are listed in Section 5.2; ordinances and plans for Mesa, Montrose, and San Miguel Counties in Colorado, where the lease tracts are located, are presented in Section 5.3, and DOE MOU with BLM and CDRMS are presented in Section 5.4.

5.1 APPLICABLE FEDERAL LAWS AND REGULATIONS

This section describes the Federal environmental, cultural, safety, and health laws that could apply to the alternatives for the management of the ULP described in the ULP PEIS.

American Indian Religious Freedom Act of 1978 (42 USC 1996). This act reaffirms American Indian religious freedom under the First Amendment and sets U.S. policy to protect and preserve the inherent and constitutional right of American Indians to believe, express, and exercise their traditional religions. The Act requires that Federal actions avoid interfering with access to sacred locations and traditional resources that are integral to the practice of tribal religions.

Antiquities Act of 1906, as amended (16 USC 431 to 433). This act protects historic and prehistoric ruins, monuments, and antiquities, including paleontological resources, on Federally controlled lands from appropriation, excavation, injury, and destruction without permission.

Archaeological and Historic Preservation Act of 1974, as amended (16 USC 469 to 469c). This act provides for the preservation of historical and archaeological data (including relics and specimens) that might otherwise be irreparably lost or destroyed as the result of Federal actions. Under the law, Federal agencies must notify the Secretary of Interior whenever

1 they find that a Federal project may cause loss or destruction of significant scientific, prehistoric,
2 or archeological data.

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5 **Archaeological Resources Protection Act of 1979, as amended (16 USC 470 *et seq.*).**

6 This act requires a permit for any excavation or removal of archaeological resources from
7 Federal or American Indian lands. Excavations must be undertaken for the purpose of furthering
8 archaeological knowledge in the public interest, and resources removed remain the property of
9 the United States.

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12 **Atomic Energy Act of 1954 (42 USC 2011 *et seq.*).** The AEA provides the statutory
13 framework for DOE, as the successor agency to the AEC, to ensure a supply of domestic
14 uranium adequate to meet the defense needs of the United States. The AEA also authorizes DOE
15 to exercise regulatory authority over activities it conducts or those conducted on its behalf. An
16 extensive system of standards and requirements has been established through DOE directives to
17 protect health and minimize danger to life and property from activities under DOE's jurisdiction.

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20 **Bald and Golden Eagle Protection Act of 1973, as amended (16 USC 668 through**
21 **668d).** The Bald and Golden Eagle Protection Act, as amended, makes it unlawful to take,
22 pursue, molest, or disturb bald (American) and golden eagles, their nests, or their eggs anywhere
23 in the United States. The DOI regulates activities that might adversely affect bald and golden
24 eagles.

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27 **Clean Air Act of 1970, as amended (42 USC 7401 *et seq.*).** The CAA is intended to
28 “protect and enhance the quality of the nation’s air resources so as to promote the public health
29 and welfare and the productive capacity of its population.” Section 118 of the CAA requires that
30 each Federal agency with jurisdiction over any property or facility engaged in any activity that
31 might result in the discharge of air pollutants comply with “all Federal, state, interstate, and local
32 requirements” with regard to the control and abatement of air pollution.

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34 Section 109 of CAA directs the EPA to set NAAQS for criteria pollutants. These
35 standards were established for PM, SO₂, CO, ozone, NO₂, and lead. Section 111 of the CAA
36 requires the establishment of national standards of performance for new or modified stationary
37 sources of atmospheric pollutants, and Section 160 requires that specific emission increases be
38 evaluated prior to permit approval to prevent significant deterioration of air quality. Specific
39 standards for releases of hazardous air pollutants (including radionuclides) are required per
40 Section 112. Radionuclide emissions are regulated under the NESHAP Program under
41 40 CFR Part 61.

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44 **Clean Water Act of 1972, as amended (33 USC 1251 *et seq.*).** The CWA provides
45 water quality standards for the nation’s waterways, guidelines and limitations for effluent
46 discharges from point-source discharges, and the NPDES permit program that is administered by

1 the EPA or by states under their own laws. Sections 401 through 405 of the Water Quality Act of
2 1987 added Section 402(p) to the CWA, which requires the EPA to establish regulations for
3 permits for stormwater discharges associated with industrial activities. Section 404 of the CWA
4 requires permits for the discharge of dredge or fill materials into navigable waters.
5 Sections 303(d) and 305(b) update water quality conditions for all water bodies every 2 years.
6 The water body that is identified as impaired will be required to be investigated for development
7 of TMDL, which will be implemented to correct the impairment.
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10 **Comprehensive Environmental Response, Compensation, and Liability Act of 1980**
11 **(42 USC 9604; also known as Superfund).** CERCLA provides, among other things, authority
12 for Federal and state governments to respond directly to hazardous substance incidents. The act
13 requires reporting of spills, including radioactive spills, to the National Response Center.
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16 **Endangered Species Act of 1973, as amended (16 USC 1531 *et seq.*).** The ESA
17 provides a program for the conservation of threatened and endangered species and the
18 ecosystems on which those species rely. The act is intended to prevent the further decline of
19 endangered and threatened species and to restore those species and their critical habitats.
20 Section 7 requires Federal agencies to assure that any action authorized, funded, or carried out by
21 them is not likely to jeopardize the continued existence of listed species or result in the
22 destruction or adverse modification of their critical habitat.
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25 **Emergency Planning and Community Right-to-Know Act of 1986**
26 **(USC 11001 *et seq.*; also known as Superfund Amendments and Reauthorization Act**
27 **[SARA] Title III).** This act requires emergency planning and notice to communities and
28 Government agencies concerning the presence and release of specific chemicals. Its provisions
29 help increase the public's knowledge of and access to information on chemicals at individual
30 facilities, their uses, and releases into the environment. States and communities can use the
31 information to improve chemical safety and protect public health and the environment.
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34 **Federal Cave Resources Protection Act of 1988 (16 USC 4301 *et seq.*).** This act
35 established requirements for the management and protection of caves and their resources on
36 Federal lands, including allowing the land managing agencies to withhold the location of caves
37 from the public and requiring permits for any removal or collection activities in caves on Federal
38 lands.
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41 **Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136 *et seq.*).** This act
42 regulates the use, registration, and disposal of several classes of pesticides to ensure that they are
43 applied in a manner that protects the public, workers, and the environment. Implementing
44 regulations include recommended procedures for the disposal and storage of pesticides and
45 worker protection standards.
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1 **Federal Land Policy and Management Act, as amended (43 USC 1701 *et seq.*)**. This
2 act is the principal law governing how the BLM manages public lands. It guides the BLM in
3 managing, protecting, developing, and enhancing public land and specifically requires the
4 agency to manage public land resources for multiple uses and sustained yield for both present
5 and future generations. The act governs the issuance of ROWs on public land and reclamation of
6 public land.
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9 **Federal Mine Safety and Health Act of 1977, as amended (30 USC 801 *et seq.*)**. The
10 Federal Mine Safety and Health Act authorizes the Secretary of Labor to establish mandatory
11 health and safety standards for mines, including related surface operations. The act defines a
12 mine as “(a) an area of land from which minerals are extracted in nonliquid form or, if in liquid
13 form, are extracted with workers underground, (b) private ways and roads appurtenant to such
14 [an] area, and (c) lands, excavations, underground passageways, shafts, slopes, tunnels and
15 workings, structures, facilities, equipment, machines, tools, or other property including
16 impoundments, retention dams, and tailings ponds, on the surface or underground, used in, or to
17 be used in, or resulting from, the work of extracting such minerals from their natural deposits in
18 nonliquid form, or if in liquid form, with workers underground, or used in, or to be used in, the
19 milling of such minerals, or the work of preparing coal or other minerals, and includes custom
20 coal preparation facilities.”
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23 **Fish and Wildlife Coordination Act (16 USC 661 *et seq.*)**. The Fish and Wildlife
24 Coordination Act promotes effective planning and cooperation among Federal, state, public, and
25 private agencies for the conservation and rehabilitation of the nation’s fish and wildlife. The act
26 requires consultation with the USFWS and state authorities whenever a Federal action involves
27 impounding, diverting, channel deepening, or otherwise controlling or modifying the waters of
28 any stream or other body of water.
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31 **Noxious Weed Act of 1974, as amended (7 USC 2801 *et seq.*)**. The act authorizes the
32 Secretary of Agriculture to designate plants as noxious weeds by regulation. The movement of
33 all such designated weeds in interstate or foreign commerce is prohibited except under permit.
34 The 1990 amendment requires Federal agencies to develop and adequately fund a program for
35 managing undesirable plants in order to control these plants on Federal lands under their
36 jurisdiction.
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39 **Migratory Bird Treaty Act of 1918, as amended (16 USC 703 *et seq.*)**. This act, as
40 amended, is intended to protect birds that have common migration patterns between the
41 United States and Canada, Mexico, Japan, and Russia. The act stipulates that it is unlawful at any
42 time, by any means, or in any manner to “kill any migratory bird unless and except as permitted
43 by regulation.”
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1 **National Environmental Policy Act of 1969, as amended (42 USC 4321 *et seq.*).**

2 NEPA establishes a national policy that promotes the awareness of the consequences of human
3 activity on the environment and the consideration of environmental impacts during the planning
4 and decision-making stages of a project. It requires Federal agencies to prepare an EIS for
5 “major Federal actions significantly affecting the quality of the human environment.”
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8 **National Historic Preservation Act of 1966, as amended (16 USC 470 *et seq.*).** NHPA

9 provides that sites with significant national historic value be placed on the NRHP maintained by
10 the Secretary of the Interior. Section 106 of the act requires a Federal agency to determine
11 whether its proposed undertaking is the type of activity that could affect historic properties. If so,
12 the agency must consult with the appropriate SHPO or Tribal Historic Preservation Officer. If an
13 adverse effect is found, the consultation often ends with the execution of a Memorandum of
14 Agreement that indicates how the adverse effect will be resolved.
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17 **Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001).**

18 This act establishes a means for American Indians to request the return or repatriation of human
19 remains and other cultural items presently held by Federal agencies or Federally assisted
20 museums or institutions. The act also contains provisions regarding the intentional excavation
21 and removal of, inadvertent discovery of, and illegal trafficking in American Indian human
22 remains and cultural items. The law requires the establishment of a review committee with
23 monitoring and policy-making responsibilities, the development of regulations for repatriation,
24 and the development of procedures to handle unexpected discoveries of graves or grave items
25 during activities on Federal or tribal lands. All Federal agencies that manage land and/or are
26 responsible for archaeological collections obtained from their lands or generated by their
27 activities must comply with this act.
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30 **Noise Control Act of 1972, as amended (42 USC 4901 *et seq.*).** Section 4 of the Noise

31 Control Act of 1972, as amended, directs all Federal agencies to carry out “to the fullest extent
32 within their authority” programs within their jurisdictions in a manner that furthers a national
33 policy that promotes an environment free from noise that would jeopardize health and welfare.
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36 **Occupational Safety and Health Act of 1970 (29 USC 651 *et seq.*).** This act establishes

37 standards for safe and healthful working conditions in places of employment throughout the
38 United States. The act is administered and enforced by the Occupational Safety and Health
39 Administration in the U.S. Department of Labor.
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42 **Paleontological Resources Preservation Act (16 USC 470aaa *et seq.*).** This act

43 promotes the preservation and use of paleontological resources on Federal lands by prohibiting
44 the following: (1) taking or damaging paleontological resources located on Federal lands without
45 a permit or permission; (2) selling or purchasing such resources received from Federal lands; and
46 (3) submitting false records or identification for such resources removed from Federal lands.

1 **Pollution Prevention Act of 1990 (42 USC 13101 *et seq.*)**. This act establishes a
2 national policy for waste management and pollution control. Source reduction is given first
3 preference, followed by environmentally safe recycling, then by treatment, and finally by
4 disposal.

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7 **Resource Conservation and Recovery Act of 1976, as amended**
8 **(42 USC 6901 *et seq.*)**. Under this act (abbreviated RCRA), which amended the Solid Waste
9 Disposal Act of 1965, the EPA defines and identifies hazardous waste; establishes standards for
10 its transportation, treatment, storage, and disposal; and requires permits for persons engaged in
11 hazardous waste activities. Section 3006 of RCRA allows states to establish and administer these
12 permit programs with EPA approval. The Federal Facility Compliance Act of 1992
13 (42 USC 6961 *et seq.*) amended RCRA to require that all Federal agencies having jurisdiction
14 over a solid waste facility or disposal site, or engaged in the management of solid or hazardous
15 waste, are subject to all applicable Federal, state, and local laws, regulations, and ordinances
16 addressing solid and hazardous waste.

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19 **Safe Drinking Water Act of 1974, as amended (42 USC 300(f) *et seq.*)**. The primary
20 objective of the Safe Drinking Water Act (SDWA) is to protect the quality of public drinking
21 water supplies and sources of drinking water. The implementing regulations, administered by the
22 EPA unless delegated to states, establish standards applicable to public water systems. These
23 regulations include maximum contaminant levels (including those for radioactivity) in public
24 water systems that have at least 15 service connections used by year-round residents or that
25 regularly serve at least 25 year-round residents.

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28 **Theft and Destruction of Government Property (18 USC 641 and 1361)**. This
29 legislation makes it illegal to steal or damage any property of the Federal Government and
30 establishes provisions for fines and imprisonment.

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33 **Toxic Substances Control Act of 1976 (15 USC 2601 *et seq.*)**. This act (abbreviated
34 TSCA) provides the EPA with the authority to require testing of chemical substances entering
35 the environment and to regulate them as necessary. The law complements and expands existing
36 toxic substance laws such as Section 112 of the CAA and Section 307 of the CWA. TSCA
37 requires compliance with inventory reporting and chemical control provisions of the legislation
38 to protect the public from the risks of exposure to chemicals.

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41 **Wild and Scenic Rivers Act (16 USC 1271 *et seq.*)**. The act establishes a National Wild
42 and Scenic Rivers System and prescribes the methods and standards through which additional
43 rivers may be added to the system. Rivers may be designated by Congress or, under certain
44 conditions, the Secretary of the Interior; designated segments need not include the entire river.
45 Each river is administered by either a Federal or state agency; for Federally administered rivers

1 in the lower 48 states, the designated boundaries generally average one quarter mile on either
2 bank in order to protect river-related values.

3 4 5 **5.2 STATE OF COLORADO ENVIRONMENTAL LAWS**

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7 Certain environmental requirements are implemented by states under their own state
8 laws, as authorized by the EPA to state authorities for implementation and enforcement. It is
9 DOE policy to conduct its operations in an environmentally safe manner that complies with all
10 applicable requirements, including applicable state requirements. A list of state environmental
11 laws potentially applicable to the alternatives for the management of the ULP, described in the
12 ULP PEIS, is provided in Table 5.2-1.

13 14 15 **5.3 COUNTY ENVIRONMENTAL ORDINANCES AND PLANS**

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17 Under Colorado state law, county planning commissions are authorized to make and
18 adopt a master plan for the physical development of the unincorporated territory of the county.
19 The lease tracts that are the subject of the ULP PEIS are located in Mesa, Montrose, and
20 San Miguel Counties. County ordinances, plans, and permit requirements that could apply to the
21 ULP management alternatives described in the ULP PEIS are listed in Table 5.3-1.

22 23 24 **5.4 MEMORANDA OF UNDERSTANDING**

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26 In recognition of their shared roles and responsibilities and under their respective
27 authorities, the DOE-LM Office of Site Operations and the CDRMS entered into an MOU in
28 September 2012. The purpose of the MOU is to identify those roles and responsibilities, promote
29 agency coordination in matters affecting the ULP, eliminate duplication, simplify administrative
30 processes, and minimize or eliminate the adverse environmental effects of ULP mining
31 operations.

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33 The MOU between DOE and CDRMS states that DOE has sole authority over the
34 selection of lessees as well as the negotiation, issuance, management, and termination of leases;
35 DOE is also the lead bonding authority. To allow for its independent review, each agency is to
36 receive copies of lessee documents pertaining to “site-specific Exploration Plans/Notices of
37 Intent and Reclamation Permits/Plans of Operation.” DOE has the authority and responsibility to
38 assure that lessees conduct all operations in compliance with the lease and with all applicable
39 laws and regulations, while the CDRMS has the authority and responsibility to assure that
40 operators conduct uranium and vanadium mining operations in compliance with applicable State
41 of Colorado laws and regulations. Each agency is to conduct its inspections of operations in
42 order to fulfill its regulatory oversight responsibilities, to notify the other agency of
43 noncompliance issues, and to retain its enforcement authorities.

1 In 2010, the DOE-LM Office of Site Operations entered into a MOU with the BLM
2 concerning the management of withdrawn lands. The MOU identifies the individual and shared
3 roles and responsibilities of each agency with respect to the ULP.
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5 Pursuant to this 2010 MOU, DOE has sole authority over the selection of lessees as well
6 as lease negotiation, issuance, management, and termination. DOE is responsible for assuring
7 that all lease-wide stipulations it has agreed to with the BLM are incorporated into leases or, as
8 appropriate, are included as stipulations in Exploration and Mining Plan approvals. DOE also has
9 sole authority to assure that lessees conduct operations in compliance with lease language and all
10 applicable laws and regulations; DOE must notify the BLM of any noncompliance and
11 subsequent response actions. The BLM is to notify DOE of noncompliance, safety, and other
12 issues noted by its staff members while they are performing their duties on the leased premises.
13

14 The MOU provides that DOE is to reclaim all leased tracts when they are no longer
15 required to support the DOE mission and that DOE shall consult with the BLM prior to
16 reclamation in order to ensure that all involved lands are reclaimed to BLM standards and needs.
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1 **TABLE 5.2-1 Potentially Applicable State Requirements**

| Law | Citation | Requirement |
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| Agreements for Transfer of Functions from Federal Government to State Government | <i>Colorado Revised Statutes (CRS)</i> , Title 25, "Health," Article 11, "Radiation Control," Section 102, Agreements for transfer of functions from Federal Government to State Government | Authorizes the governor to enter into agreements with the Federal Government allowing the state to assume responsibilities within the state relating to the protection of persons and property from the hazards of radioactive materials and other sources of radiation. |
| Colorado Air Pollution Prevention and Control Act | CRS, Title 25, "Health," Article 7, "Air Quality Control," Section 101 <i>et seq.</i> | Requires development of an air quality control program in which the benefits of the air pollution control measures utilized bear a reasonable relationship to the economic, environmental, and energy impacts and other costs of such measures. |
| Colorado Mined Land Reclamation Act | CRS, Title 34, "Mineral Resources," Article 32, "Colorado Mined Land Reclamation Act," Section 101 <i>et seq.</i> | Requires permits for new mining operations and establishes procedures for renewals of existing permits; requires an environmental protection plan for uranium mines; establishes that uranium stockpile areas are subject to rules developed to prevent off-site impacts. |
| Colorado Natural Areas Act | CRS, Title 33, "Parks and Wildlife," Article 33, "Colorado Natural Areas," Section 101 <i>et seq.</i> | Establishes a statewide natural areas program to identify and protect certain natural areas. |
| Colorado Noxious Weed Act | CRS, Title 35, "Agriculture," Article 5.5, "Colorado Noxious Weed Act," Section 111, Cooperation with Federal and state agencies | Authorizes local governing bodies of county and municipality governing bodies to enter into cooperative agreements with Federal and state agencies for the integrated management of noxious weeds within their respective territorial jurisdictions. |
| Colorado Water Quality Control Act | CRS Title 25, "Health," Article 8, "Water Quality Control," Sections 501–503 | Requires a permit for the discharge of pollutants into any state waters. |
| Colorado Water Quality Control Act | CRS, Title 25, "Health," Article 8, "Water Quality Control," Section 506, Nuclear and radioactive wastes | Requires a permit to discharge, deposit, or dispose of any radioactive waste underground in liquid, solid, or explosive form. |

TABLE 5.2-1 (Cont.)

| Law | Citation | Requirement |
|---|---|---|
| Hazardous Waste | CRS Title 25, "Health," Article 15, "Hazardous Waste," Part 3, "State Hazardous Waste Management Plan," Section 308, Prohibited acts, enforcement | Prohibits disposal of hazardous waste at unpermitted facilities. |
| Groundwater Use | CRS, Title 37, "Water and Irrigation," Article 90, "Underground Water," Section 107, Application for use of groundwater | Requires anyone desiring to appropriate groundwater in designated groundwater basins to file an application prior to doing so. |
| Historical, Prehistorical, and Archaeological Resources | CRS, Title 24, "Government, State," Article 80, "State History, Archives, and Emblems," Part 4, "Historical, Prehistorical, and Archaeological Resources," Section 406, Permits | Requires permits for the investigation, excavation, gathering, or removal from the natural state of any historical, prehistorical, and archaeological resources within the state. |
| Maximum Permissible Noise Levels | CRS, Title 25, "Health," Article 12, "Noise Abatement," Section 103, Maximum permissible noise levels | Establishes the dB(A) and time periods that constitute permissible noise levels. |
| Nongame, Endangered, or Threatened Species Conservation Act | CRS, Title 33, "Parks and Wildlife," Article 2, "Nongame and Endangered Species Conservation," Section 101 <i>et seq.</i> | Authorizes regulations that establish (1) limitations relating to the taking, possession, transportation, exportation, processing, sale or offering for sale, or shipment regarding nongame wildlife and (2) a list of those species indigenous to the state determined to be endangered or threatened. |
| Pesticide Act | CRS, Title 35, "Agriculture," Article 9, "Pesticide Act," Section 101 <i>et seq.</i> | Controls the use of pesticides in the state. |
| Pollution Prevention Act of 1992 | CRS 25, "Health," Article 16.5, "Pollution Prevention," Section 101 <i>et seq.</i> | Establishes that the prevention of pollution is preferable to treatment and disposal of toxic substances and is the cornerstone of the future of environmental management. |
| Unmarked Human Graves | CRS, Title 24, "Government, State," Article 80, "State History, Archives, and Emblems," Part 13, "Unmarked Human Graves," Section 1301 <i>et seq.</i> | Establishes the notification requirements upon the discovery of suspected human skeletal remains. |

1 **TABLE 5.3-1 Potentially Applicable County Requirements**

| Ordinance/Plan/Permit | Citation | Requirements |
|---|---|---|
| Mesa County | | |
| Land Development Code | 2000 Mesa County Land Development Code/Road and Bridge Standards and Specifications | Establishes land use regulations and development review and approval procedures; requires permits for surface alterations, utility installation, stormwater construction, and driveways. Mining and extractive uses shall be subject to the Mesa County Mineral and Energy Resource Master Plan. |
| Update Building, Plumbing, Mechanical, Fuel Gas, Property Maintenance, Residential, Electrical, Energy Conservation Codes | Ordinance 008A | Adopts and slightly modifies the International Building Code and International Residential Code. |
| Noxious Weed Management Plan | Mesa County 2009-204 | Lists the noxious weeds covered by the plan and promotes noxious weed management. |
| Montrose County | | |
| Montrose County Zoning Resolution | Montrose County Zoning Resolution | <p>Establishes county land use zones and requirements for those zones. The exploration of mineral resources and mining of minerals (other than sand and gravel) existing as of October 13, 1994, or the subsequent expansion of existing operations within existing property lines, is a use-by-right in the General Agricultural District; new mineral resource development and extraction operations and facilities are a special use within that district.</p> <p>Applications, a complete site plan, and an impact mitigation plan are required for special uses.</p> <p>Permits are required for any work performed within the public ROWs of Montrose County and within county road access.</p> |

TABLE 5.3-1 (Cont.)

| Ordinance/Plan/Permit | Citation | Requirements |
|---------------------------------|---|---|
| San Miguel County | | |
| San Miguel County Land Use Code | Section 3-1, General | Requires a building permit or exemption to erect, construct, reconstruct, excavate for a foundation, or alter or change the use of any building or other structure or improvements of land. |
| | Section 5-11, Conditional Uses on Federal Lands | Establishes the standards for reviewing mineral exploration and mining on Federal land that is subject to Federal and state laws and regulations. |
| | Section 5-16, Mining | Contains provisions to mitigate the impacts of mining and protect the health, safety, and welfare of residents and travellers on county roads, streets, and highways used for hauling mined material. |
| | Section 5-321N, Development or Improvement of Roads, Driveways, and Recreational Trails | Requires that any proposed access to a county road must be issued a Driveway Access Permit. |
| | Section 5-607, Sewage Disposal | Requires a permit for new or replaced septic systems. |

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