

State of New Mexico
Energy, Minerals and Natural Resources Department

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Governor

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Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



February 24, 2015

Mr. Kurt Vollbrecht, Program Manager
Mining Environmental Compliance Section
New Mexico Environment Department
Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469

RE: Request for Comments, Updated Closeout Plan, Amendment to Revision 10-1, Permit No. CI002RE, Mt. Taylor Mine

Dear Mr. Vollbrecht:

The New Mexico Mining and Minerals Division (“MMD”) received a letter from Rio Grande Resources (“RGR”), dated January 29, 2015, requesting that the application for Revision 10-1 (for standby status renewal) be amended to include the updated closeout plan that MMD was processing under Revision 13-1. In addition, the RGR letter requested that upon amending the Revision 10-1 application to include the updated closeout plan, MMD no longer process the updated closeout plan under Revision 13-1.

Background

Application to Renew Standby Status – Revision 10-1

MMD received an application from RGR to renew standby status for the Mt. Taylor Mine, dated June 18, 2010 (“Standby Status Renewal application”). MMD processed the Standby Status Renewal application under Revision 10-1. MMD requested comments on the Standby Status Renewal application from the New Mexico Environment Dept. (“NMED”) on July 22, 2010. NMED submitted comments to MMD on the Standby Status Renewal application, dated September 1, 2010, stating in part, that RGR had submitted a Stage 2 Abatement Plan to address the contaminated saturated alluvium located near the waste rock pile at the Mt. Taylor Mine, and that NMED supported a standby period of 2 years. MMD forwarded the September 1, 2010 NMED letter to RGR. RGR responded to the NMED comments in a letter dated October 28, 2010. RGR also submitted a revised Stage 2 Abatement Plan to NMED. The Stage 2 Abatement Plan was conditionally approved by NMED on May 2, 2011 and on May 27, 2011, NMED issued the environmental determination to RGR for the Mt. Taylor Mine for up to a 5 year standby renewal period. A public hearing was held by MMD in Grants, New Mexico on August 17, 2011 regarding the Standby Status Renewal application. MMD approved Revision 10-1, renewing the standby status period for the Mt. Taylor Mine from January 30, 2012 to October 12, 2014. RGR applied for renewal of the standby status period that MMD is currently processing under Revision 14-1.

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Application to Update the Closeout Plan – Revision 13-1

MMD received an application from RGR, dated July 27, 2012, to update the closeout plan for the Mt. Taylor Mine (under standby status conditions) in accordance with Condition 8.BB of Revision 10-1 to Permit No. CI002RE. MMD has been processing the application to update the closeout plan under Revision 13-1. MMD sent NMED a request for comment letter on the updated closeout plan on February 19, 2013. NMED sent MMD comments on the updated closeout plan, dated March 13, 2013 and April 26, 2013. MMD forwarded the NMED comments along with MMD and other agency's comments to RGR. RGR submitted responses to the MMD and other agency comments to MMD in a submittal, dated December 16, 2013. MMD sent the RGR submittal to NMED for comment in a letter, dated January 17, 2014. NMED sent comments on RGR's December 16, 2013 submittal to MMD, dated February 11, 2014. MMD sent the February 11, 2014 NMED (and MMD) comments to RGR on March 17, 2014. RGR submitted a response to the MMD and NMED comments in a submittal, dated March 31, 2014. MMD sent the March 31, 2014 RGR submittal to NMED in a letter, dated April 23, 2014. NMED sent MMD a memorandum, dated May 27, 2014, indicating that it had no additional comments on the RGR submittal on the updated closeout plan.

Request for Review of the Amended Revision 10-1 Application for Standby Status Renewal

MMD requests that you review the amended Revision 10-1 application including the updated closeout plan and provide comments on it. In consideration that NMED has reviewed the application to renew standby status being processed under Revision 10-1 and has also reviewed the updated closeout plan, formerly being processed under Revision 13-1, MMD is requesting that NMED provide comments, if any, within 30 days after the receipt of this letter. The Mt. Taylor Mine amended application to renew standby status under Revision 10-1 and the updated closeout plan may be viewed at the MMD website at:

<http://www.emnrd.state.nm.us/MMD/MARP/CI002RE-Mod10-1.html>

A hardcopy version of the Mt. Taylor Mine application to renew standby status under Revision 10-1 and the updated closeout plan are also available from MMD upon request.

If you have any questions, please contact me at (505) 476-3432 or by email at: david.ohori@state.nm.us.

Sincerely,



David Ohori, Permit Lead
Mining Act Reclamation Program ("MARF")

cc: Holland Shepherd, Program Manager, MARF
Mine File (CI002RE)