



May 29, 2020

Mr. Clinton Chisler
State of New Mexico
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, NM 87505

**RE: Lhoist North America of Arizona, Inc. – Chemical Lime Mine Site
Permit Tracking No. GR030ME**

Mr. Chisler,

Lhoist North America of Arizona, Inc. (LNA) operates a site near Hanover, NM otherwise known as the Chemical Lime Mill and Mine (Facility). The Facility operates pursuant to Permit No. GR030ME (Permit) issued by the Mining and Minerals Division (MMD). As requested in letters from both MMD (dated March 2, 2020) and the US Forest Service (USFS) (dated March 5, 2020), LNA submitted an updated reclamation plan for the Facility Mill Site on April 30, 2020. MMD later responded stating the revised reclamation plan needed to be submitted as a modification to the Permit. Subsequently, LNA is requesting a formal modification to the Permit to incorporate the revised reclamation plan and financial assurance for the Mill Site and is providing the information necessary for a modification to be considered complete as outlined in New Mexico Administrative Code (NMAC) 19.10.5.505. In addition to this information provided below, LNA has included a check in the amount of \$250 as required for an existing minimal impact application and defined in NMAC 19.10.2.201(C).

19.10.5.505.B(1) The Director shall consider the following factors and their level of impact to determine whether a permit modification would have a significant environmental impact:

19.10.5.505.B(1)(a) Whether the proposed change would authorize an expansion of design limits beyond that currently authorized by the permit that:

19.10.5.505.B(1)(a)(i) Would be located in or is expected to have a direct surface impact on wetlands, springs, perennial or intermittent streams, lakes, rivers, reservoirs or riparian areas.

LNA is not aware of any direct stormwater surface impact to wetlands, springs, perennial or intermittent streams, lakes, rivers, reservoirs or riparian areas from the area identified in the modification (Mill Site). The Facility is designed such that stormwater is retained onsite and is absorbed into the ground. Further reclamation of the Mill Site as described in April 30, 2020 Reclamation Plan (Plan) the will only enhance these stormwater controls.

19.10.5.505.B(1)(a)(ii) Is expected to have a direct impact on ground water that has a total dissolved solids concentration of less than 10,000 mg/l.

The proposed change includes updating the reclamation Plan for the Mill Site and adjusting the financial assurance accordingly. Completion of the reclamation work is not expected to have an adverse impact on groundwater and no chemicals or disturbances are expected to create an increase in TDS concentrations.

19.10.5.505.B(1)(a)(iii) Is expected to result in point or non-point source surface or subsurface releases of acid or other toxic substances from the permit area.

LNA is not aware of any point or non-point source surface or subsurface releases that will have acidic or toxic characteristics, or sources onsite that could create this type of discharge. The Facility is designed such that stormwater is retained onsite and is absorbed into the ground. Further reclamation of the Mill Site as described in the revised reclamation Plan will only enhance these stormwater controls.

19.10.5.505.B(1)(a)(iv) Would be located in designated critical habitat areas as determined in accordance with the federal Endangered Species Act of 1973 or in areas determined by the Department of Game and Fish likely to result in an adverse impact on an endangered species designated in accordance with the Wildlife Conservation Act, Sections 17-2-37 through 17-2-46 NMSA 1978 or by the State Forestry Division for the Endangered Plants Act, Section 75-6-1 NMSA 1978.

As indicated in previous submittals to MMD, LNA is not aware of any adverse impacts to endangered species at the Facility. However, completion of the reclamation of the Mill Site as described in the Plan will only improve the habitat in this area increasing the chance for survival.

19.10.5.505.B(1)(a)(v) Would adversely impact cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties.

Previous archeological studies conducted at the Facility did not find any evidence of items with historic or archeologic value.

19.10.5.505.B(1)(a)(vi) Would be located in a known cemetery or other burial ground.

LNA is not aware of, and previous studies have not identified the presence of known cemeteries or other burial grounds.

19.10.5.505.B(1)(a)(vii) Would be located in an area designated as a Federal Wilderness Area, Wilderness Study Area, Area of Critical Environmental Concern, or an area within the national Wild and Scenic River System.

The Facility is not located within a Federal Wilderness Area, Wilderness Study Area, Area of Critical Environmental Concern, or an area within the national Wild and Scenic River System.

19.10.5.505.B(1)(b) Whether the proposed change would result in a significant increase in the amount of financial assurance as determined by the Director; or

LNA has updated the financial assurance for the Mill Site as indicated in the revised reclamation Plan.

19.10.5.505.B(1)(c) Whether the proposed change would significantly depart from the nature or scale of the permit.

The only change being sought for the Mill Site at this time is a revision to the reclamation plan and financial assurance amount. No changes are being proposed that would deviate from the existing permit.

In addition to the revised reclamation plan and financial assurance included in the permit modification as described above, LNA would like to proceed with the cleanup of certain areas within the Mill Site. These activities are expected to include:

- Disposal of mixed trash and debris piles
- Disposal of 55-gallon drums and contents
- Removal and disposal of onsite structures (e.g. office trailer and scale house)
- Large concrete structures will be broken up and disposed of, if necessary

LNA would like to begin this work in the near future and potentially before the approval of the permit modification.

LNA appreciates MMD's review of this permit modification and associated documents. If you have any questions concerning any of the information provided in this submittal, please contact me at (702) 236-1409 or at justin.andrews@lhoist.com.

Sincerely,



Justin Andrews
Regional Environmental Manager (West)

Enclosed : Check No. 2000397846

CC: Duane Surman (LNA) – duane.surman@lhoist.com
Beth Ihle (US Forest Service) – beth.ihle@usda.gov

NEW MEXICO MINING & MINERALS DIVISI
1220 SOUTH SAINT FRANCIS DRIVE
SANTA FE NM 875054225

CHECK PAYMENT NBR. 2000397846 DATE 05/20/2020

INVOICE	DESCRIPTION	DATE	DOC. NO.	GROSS AMT.	DISCOUNT	NET AMOUNT
51220	RECLAMATION APPL	05/12/2020	5220000892	250.00	0.00	250.00

TOTAL	250.00	0.00	250.00
-------	--------	------	--------

Lhoist North America

CHEMICAL MANAGEMENT COMPANY, INC
P.O. BOX 985004
FORT WORTH, TX 76185-5004
(817) 732-8164

BANK OF AMERICA N.A.
VA2-430-01-01, RICHMOND
071923284

NO. 2000397846

PAY DATE 05/20/2020 2000397846 \$

AMOUNT
*****250.00*

TWO HUNDRED FIFTY-----

DOLLARS

TO NEW MEXICO MINING & MINERALS DIVISI
THE ATTN: STEPHANIE RODRIGUEZ
ORDER 1220 SOUTH SAINT FRANCIS DRIVE
OF SANTA FE NM 875054225


AUTHORIZED SIGNATURE