

**PERMIT MODIFICATION 18-1 TO PERMIT NO. LU001RE AND RELEASE  
DEMING JIGGING PLANT  
REGULAR EXISTING MINING OPERATION**

**MINING AND MINERALS DIVISION  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT**

This Modification 18-1 ("Modification 18-1") to Permit No. LU001RE ("Permit") is issued by the Director of the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals and Natural Resources Department to:

AMMIN Holdings Inc., f/k/a  
American Minerals, Inc.,

Whose correct address is:

100 Mansell Court East, Suite 300  
Roswell, GA 30076

("Permittee") in order to conduct mining, exploration and reclamation at the Deming Jigging Plant, Luna County, New Mexico.

This Modification 18-1:

1. Changes the PMLU of the Deming Jigging Site from "Grazing and Wildlife" to "Industrial";
2. Releases the Permittee and the site of the Deming Jigging Plant from the of Permit No. LU001RE, and requirements of the New Mexico Mining Act and the Mining Act Rules;
3. Releases the total amount of Financial Assurance ("FA") for the site in the amount of \$8,000.00; and,
4. Terminates Permit No. LU001RE including its modifications and revisions.

In order to accomplish the approval contemplated by Modification 18-1, the following subparagraphs are added to Permit No. LU001RE:

**Section 1 (18-1).      STATUTES AND REGULATIONS**

- A. This Permit modification is issued pursuant to the New Mexico Mining Act, NMSA 1978, §69-36-1, et seq. (1993, as amended through 2019) ("Act") and New Mexico Mining Act Rules, Title 19, Chapter 10 of the New Mexico Administrative Code ("NMAC" or "Rules" or "Regulations").
- B. This Permit modification is subject to the Act, the Rules, and any other regulations which are now or hereafter in force under the Act; and all such regulations are made a part of this Permit by this reference.

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**Section 2 (18-1).**      **PERMIT APPLICATION PACKAGE**

- A.      *American Minerals Inc. Deming Manganese Site. Planned site-remedial work prior to Release, July 18, 2017*
- B.      *Remedial Action Plan Former Deming Manganese-Processing Site of American Minerals, Inc., May 2018*
- C.      *American Minerals Manganese Site, Deming, New Mexico Permit. Nos. LU001RE and DP1234 release request, October 24, 2018*
- D.      *American Minerals Deming Manganese Site PMLU Change request, November 8, 2018*
- E.      *American Minerals, Inc. Deming, NM Site Change in Contact, October 21, 2019*

**Section 3 (18-1).**      **FINDINGS OF FACT**

- A.      The Permittee has paid the permit modification fee of \$1,000.00 as required by §19.10.2.201 H. of the Rules.
- B.      18-1 Permit Application Package (“PAP”) has been reviewed in accordance with §19.10.5.505 NMAC and is complete, accurate, and complies with the requirements for permit modifications under §19.10.5.505 NMAC.
- C.      Pursuant to §19.10.12.1210.A(3) NMAC, the proposed change does require public notice and the opportunity for public hearing.
- D.      Pursuant to §19.10.5.505.B(1) NMAC, the proposed change would not have a significant environmental impact.
- E.      Pursuant to §19.10.5.505.A NMAC, 18-1 PAP was accompanied by sufficient information for the Director to determine whether any of the factors listed in §19.10.5.505 NMAC are present.
- F.      Pursuant to §19.10.5.505.B(3) NMAC, the Director consulted with the New Mexico Environment Department, Department of Game and Fish, State Forestry, State Historic Preservation Division, and the Office of the State Engineer and requested comments on 18-1 PAP.

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- G. Comments on 18-1 PAP were received from the NM Dept. of Cultural Affairs, Department of Game and Fish, and the New Mexico Environment Department, the Office of the State Engineer, and State Forestry.

*Name Change*

- H. Imerys Corp. acquired the assets subject to the Permit from American Minerals, Inc., through an Asset Purchase Agreement effective on February 18, 2005.
- I. American Minerals Inc. changed its name to AMMIN Holdings Inc. on March 18, 2005

*Public Notice*

- J. All Public Notice requirements were completed by the Permittee per §19.10.9.903 NMAC and no Public Comment was received nor a Public Hearing requested.

*Inspection*

- K. An inspection and evaluation of the reclaimed disturbance within the Deming Jigging Plant Permit Area was conducted by MMD, NMED, and the NMDG&F on October 7, 2020. All areas were found acceptable.
- L. In accordance with MMD Comment Letter dated November 9, 2018 condition No. 1 all agencies are in agreement that the site is stable with no signs of significant erosion which remains consistent with the requirement for release of an "Industrial" PMLU.

*Financial Assurance*

- M. Federal Insurance Company, Chubb Surety, issued financial assurance for the Deming Jigging Plant site in the form of Surety Bond No. 81924851 such bond held jointly between MMD for Permit No. LU001RE and the New Mexico Environment Department for DP No. 1234 , and as further described below:
1. Bond No. 81924851 issued on 03-11-2004 in the original amount of \$100,000.00
  2. Bond No. 81924851 Rider issued on 09-13-2010 reducing the original penal amount of Bond No. 81924851 by by \$92,000.00 to the amount of \$8,000.00 including accrued interest.

**Section 4 (18-1).**      **CONCLUSIONS OF LAW**

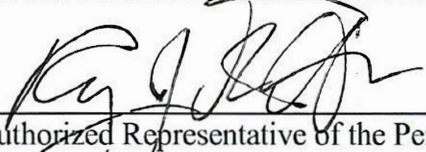
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- A. The request for permit modification is complete and accurate and complies with the requirements of the Act and §19.10.5.505 NMAC.

**CERTIFICATION**

I certify that I have read, understand and consent to the Findings of Fact and Conclusions of Law set forth in this Permit Modification and Release.

  
\_\_\_\_\_  
Authorized Representative of the Permittee

Secretary  
\_\_\_\_\_  
Title

Ammin Holdings, Inc.  
\_\_\_\_\_  
Company

Subscribed and sworn to before me this 8<sup>th</sup> day of December, 2020

  
\_\_\_\_\_  
Notary Public

My Commission Expires

September 26, 2023



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**ORDER**

NOW THEREFORE, the Director approves Permit Modification 18-1 and Release for the Deming Jigging Plant, Permit No. LU001RE, located in Luna County, New Mexico, AND HEREBY ORDERS as follows:

1. American Minerals, Inc., AMMIN Inc., and Imerys Corp. are hereby released in full from all their respective duties and obligations described in Permit No. LU001RE including any of its revisions and modifications and arising under the New Mexico Mining Act and the Mining Act Rules;
2. The revised Federal Insurance Company, Chubb Surety, Bond No. 81924851 and Rider in the amount of \$8,000.00 including all accrued interest held jointly between MMD (Permit No. LU001RE) and the NMED (DP No. 1234) is released in full in accordance with §19.10.12.1210 NMAC and the Surety Bond shall be returned to the issuer; anSd,
3. Permit No. LU001RE is terminated.

By the Director, Mining and Minerals Division of the New Mexico Energy, Minerals and Natural Resources Department, of the State of New Mexico.

By:



Jerry Schoeppner, Director  
Mining and Minerals Division  
Energy, Minerals and Natural Resources Department

Date:

12/11/2020



State of New Mexico  
**ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT**  
and the  
**ENVIRONMENT DEPARTMENT**

Michelle Lujan Grisham  
GOVERNOR

Howie Morales  
Lieutenant Governor

Sarah Cottrell Propst  
SECRETARY, EMNRD

James Kenney  
SECRETARY, NMED

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 14, 2020

Ammin Holdings Inc.  
c/o Imerys (Ryan Van Meter)  
100 Mansell Court East, Suite 300  
Roswell, GA 300076

**RE: Final Release of Financial Assurance, Modification 18-1, Deming Jigging Plant, Imerys, Luna County, New Mexico, New Mexico Mining and Minerals Permit No. LU001RE, New Mexico Environment Department DP No. 1234**

Dear Mr. Van Meter,

On March 11, 2004, Surety Bond No. 81924851 was issued by Federal Surety Company, Chubb Surety in the amount of \$100,000 held jointly by the New Mexico Mining and Minerals Division (“MMD”) and the New Mexico Environment Department (“NMED”) for Financial Assurance associated with the Deming Jigging Plant MMD Permit No. LU001RE and NMED Discharge Permit (DP) 1234. On March 11, 2010, a Rider to Bond No. 81924851 was issued which reduced the original bond by \$92,000 to the amount of \$8,000, effective September 13, 2010. Modification 18-1 to Permit No. LU001RE, approved by the MMD Director on December 11, 2020, releases MMD’s interest in Bond No. 81924851. The requirements for DP-1234 have also been met, including final groundwater monitoring and plugging of the on-site monitoring well. Therefore, MMD and NMED have no further need to retain Bond No. 81924851 with Rider as financial assurance instruments; therefore, original copies of these documents are enclosed with this letter.

Please contact me at (505) 490-0967 or Clint Chisler at (505) 467-9589, if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry Schoeppner".

Jerry Schoeppner  
Director  
Mining and Minerals Division

Rebecca Roose

Digitally signed by Rebecca  
Roose  
Date: 2020.12.16 13:51:20 -07'00'

Rebecca Roose, Director  
Water Protection Division  
New Mexico Environment Department

Enclosures:

(Original Surety Bond No. 81924851 dated 3/11/2004 and Rider issued on 9/13/2010)  
(MMD Modification 18-1)

cc: Holland Shepherd, Program Manager, Mining Act Reclamation Program ("MARF")  
Anne Maurer, Mining Act Team Leader, NMED  
Kurt Vollbrecht, Manager, Mining Environmental Compliance Section ("MECS"),  
NMED  
Clint Chisler, Permit Lead, MARP

Mine File (LU001RE)