



**Michelle Lujan Grisham**

Governor

**Environment Department**

**Energy, Minerals and Natural Resources Department  
Mining and Minerals Division**

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Cabinet Secretary

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**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

October 15, 2021

Bruce Norquist, Facilities Manager  
Mount Taylor Mine  
Rio Grande Resources Corporation  
P.O. Box 1150  
Grants, NM 87020

**RE: Request for Submittal of a Permit Revision Application Including a Revised Closeout/Closure Plan for Mining Act Permit No. CI002RE and Additional Information for Discharge Permit 61 (DP-61) Renewal and Modification, Rio Grande Resource Corporation, Mt. Taylor Mine**

Dear Bruce Norquist:

The Energy, Minerals and Natural Resources Department (EMNRD) Mining and Mineral Division (MMD) and the New Mexico Environment Department (NMED) Mining Environmental Compliance Section (MECS), collectively “the Agencies” request that Rio Grande Resources Corporation (RGR) accelerate submittal of the application for revision of Permit No. CI 002RE for the Mt. Taylor Mine, including an updated Closeout/Closure Plan (CCP) which is currently due December 29, 2022, to 180 days after the date of this letter (April 13, 2022), or sooner. The updated CCP will be evaluated pursuant to the New Mexico Mining Act and will be incorporated into the DP-61 renewal and modification application that is currently under technical review by NMED. The purpose of this request is to provide the Agencies with relevant and timely information such that the Agencies permitting actions are streamlined for orderly review of the CCP.

The most recent CCP Permit Revision 13-2 to Permit No. CI002RE for Mt. Taylor Mine was submitted on April 5, 2013, and Permit Revision 13-2 was approved by the MMD on December 29, 2017. Modification 20-1 to Permit CI002RE was initiated by MMD on May 15, 2020, and addressed changes to the current approved CCP. After consultation with RGR, MMD will stop processing Modification 20-1, and resume processing the CCP as part of the application for revision. In order to better coordinate

the permitting, NMED will incorporate the submittal of the revised CCP into the current DP-61 renewal and modification technical review process.

The Agencies request that RGR submit a revised CCP pursuant to Mining Act Rule 19.10.5.506 NMAC, that explains and updates the proposed reclamation of the Mt. Taylor Mine based on existing conditions and work completed to date. Along with the other requirements of Rule 19.10.5.506 NMAC, the revised CCP should explain reclamation of all surface facilities that will not remain under the proposed Post Mining Land Use, a proposal for plugging of the two shafts, and a proposal for long-term monitoring of reclaimed facilities and groundwater.

In addition, the application should include a brief summary of the approved groundwater abatement plan in accordance with Mining Act Rule 19.10.5.506.B.(2) that requires:

[a] list of all federal and state permits required for the closeout plan and evidence of when they were issued or a schedule by which these permits are anticipated to be received. To avoid duplication and conflicting requirements, the applicant may include information from environmental permits, or portions thereof, relevant to the application.

Considering that abatement of water pollution falls under regulatory authority of NMED pursuant to the Water Quality Act (WQA) and the Water Quality Control Commission (WQCC) Regulations, it is appropriate to identify the approved groundwater abatement plan in the revised CCP. Also, please include the long-term monitoring proposal submitted to NMED dated July 31, 2021, in the revised CCP. This way all relevant and updated documents will be included in the revised CCP, aiding the review and permitting processes of both Agencies. MMD will correspond directly with RGR and copy NMED regarding any requirements and requests for information related to the New Mexico Mining Act requirements. NMED will correspond directly with RGR with copy to MMD regarding any requirements and requests for information related to abatement of water pollution.

The Agencies request a cost estimate for the work proposed in the CCP and a separate cost estimate for implementation of activities approved under the groundwater abatement plan. The Agencies will provide joint review of costs associated with the CCP and NMED will be responsible for review and approval of costs for implementation of the groundwater abatement plan. Following approval of the components of the CCP and cost estimates the Agencies will request proposed financial assurance instrument(s).

Once NMED and EMNRD have reviewed the CCP, the Director of MMD shall approve an application as long as it meets all the conditions of 19.10.5.506(J) NMAC.

Please contact Holland Shepherd at (505) 490-0967 / [Holland.Shepherd@state.nm.us](mailto:Holland.Shepherd@state.nm.us) or Kurt Vollbrecht at (505) 660-9420 / [kurt.vollbrecht@state.nm.us](mailto:kurt.vollbrecht@state.nm.us) if you have any questions, concerns, or would like to request a meeting to discuss.

Sincerely,



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Holland Shepherd, Program Manager  
Mining Act Reclamation Program

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Kurt Vollbrecht, Program Manager  
Mining Environmental Compliance Section

**Cc:** David Ogori, Senior Reclamation Specialist, Mining Act Reclamation Program, MMD  
Anne Maurer, Mining Act team Leader, NMED MECS