



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

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**James C. Kenney**  
Cabinet Secretary, NMED

**Electronic Transmission**

March 11, 2022

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

**Re: Comments on December 27, 2021 RGR Response to Comments on Reclamation and Post-Reclamation Radiological Survey Work Plan, MMD Permit No. CI002RE and NMED Discharge Permit 61, Rio Grande Resources Corporation, Mount Taylor Mine**

Dear Mr. Norquist,

The Energy, Minerals and Natural Resources Department, Mining and Minerals Division (MMD) and the New Mexico Environment Department (NMED) reviewed a letter, dated December 27, 2021, entitled *RGR Response to Comments on Reclamation and Post-Reclamation Radiological Survey Work Plan, MMD Permit No. CI002RE and NMED Discharge Permit 61, Rio Grande Resource Corporation, Mount Taylor Mine (Work Plan Responses)*. The Work Plan Responses included an Addendum, also dated December 27, 2021. MMD and NMED (the Agencies) reviewed a work plan submitted by Rio Grande Resources Corporation (RGR) entitled *Reclamation and Post-Reclamation Radiological Survey Work Plan; Permit CI002RE, Rev. 13-2; Mt. Taylor Mine (Work Plan)*, dated June 8, 2021, and provided comments in a letter to RGR, dated October 28, 2021. RGR submitted the Work Plan Responses to address the Agencies' October 28, 2021 comments on the Work Plan.

The following comments by the Agencies are numbered according to the Work Plan Responses:

1. The Acronyms/Abbreviations page provided in the Addendum are helpful, although definitions were not provided.
2. Refers to the Addendum. See Comments 1 through 7 in the Addendum Comments section below.
3. The response regarding sample size (1<sup>st</sup> para.) appears adequate. The explanation of the 95<sup>th</sup> percentile, the PRRL of the Joint Guidance, and the 95% UPL appears consistent with the Agencies'

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discussion with RGR and the Environmental Restoration Group, Inc. (ERG) consultant on December 8, 2021, and is acceptable based on the *Joint Guidance for the Cleanup and Reclamation of Existing Uranium Mining Operations in New Mexico*.

4. The response appears acceptable on the condition that RGR adds an investigation of windblown contamination to the Affected Areas Investigation required by Section 9.M.1 of Revision 13-2.
5. The response appears acceptable.
6. Figure 3 (in the Addendum) should have been enlarged to at least a 1 inch = 100 meters scale. This should have been specified in the Agencies' Work Plan comments, and no additional changes are currently required.
7. Refers to Response to Comment 3. See 3 above.
8. States that, "*The gamma cutoff will be used at RGR's discretion only as part of the Remedial Support Surveys (RSS) to help guide soil cleanup work as remediation progresses.*" The Agencies request that the RSS gamma data be reported to the agencies within a reasonable time period in case there is a large area that has gamma exposure rates at or just above the clean-up standard to determine whether further investigation is needed.
9. See 8 above.
10. The Affected Areas Investigation a post-reclamation gamma survey and soil sampling will be done in the off-site areas to confirm that these areas meet the cleanup standard, that the gamma exposure rates and soil Radium -226 concentrations correlate.
11. The scale of the drawing was changed from ¾ inch = 100 m to 1 inch = 100 m and is acceptable.
12. Acceptable response.
13. See Addendum Section 4 comments.
14. Acceptable response.
15. Refers to Response to Comment 3. See 3 above.
16. Refers to Response to Comment 3. See 3 above.
17. Acceptable response.
18. The response regarding the FSS Statistical Design and Compliance Evaluation appears adequate based on the December 8, 2021 discussion with RGR and ERG.

December 27, 2021 Addendum (by response number):

1. Page 2, Acronyms and Abbreviations page. See Comment 1 above.
2. Page 3, Section 2.2, Criteria for Release of Buildings and Infrastructure, Section 2.2.1, Surface Contamination Release Criteria, and Page 4, Section 2.2.2, Volumetric Contamination Release Criteria. The Responses are acceptable.
3. Page 6, Data and Results of Regression Analysis of the 2012 Study and is an acceptable response.
4. Page 7, Figure 7. See Comment 11 above.
5. Page 8, Section 4, Methods, MMD comment - subsection 4) should refer to Section 4.2, not 4.3.
6. Pages 9-10, Section 4.3 Radiological Surveys of Buildings, Infrastructure and Equipment is acceptable.
7. Page 11, Sign Test. See Comment 18 above.
8. Appendix A – Derivation of Release Criteria for Surface Contamination is acceptable, also see Comment 6 above.

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Please contact respective MMD and NMED permit leads David Ogori at 505-216-8945 and Anne Maurer at 505-660-8878 with any questions regarding permitting issues for the Mt. Taylor Mine.

Sincerely,

Anne R.  
Maurer

Digitally signed by  
Anne R. Maurer  
Date: 2022.03.22  
13:36:58 -06'00'

Anne Maurer  
Mining Environmental Compliance Section  
Ground Water Quality Bureau - NMED



David Ogori  
Mining Act Reclamation Program  
Mining and Minerals Division-EMNRD

cc: Joe Fox, Acting Program Manager – MECS, ([joseph.fox@state.nm.us](mailto:joseph.fox@state.nm.us))  
Holland Shepherd, Program Manager, EMNRD-MMD ([holland.shepherd@state.nm.us](mailto:holland.shepherd@state.nm.us))  
Mine File (CI002RE)

