MEMORANDUM

DATE: June 6, 2023

TO: Anne Maurer, Mining Environmental Compliance Section, Ground Water Quality Bureau, New Mexico Environment Department

THROUGH: Shelly Lemon, Chief, Surface Water Quality Bureau, New Mexico Environment Department

FROM: Alan Klatt, Watershed Protection Section, Surface Water Quality Bureau, New Mexico Environment Department

Susan Lucas Kamat, Program Manager, Point Source Regulation Section, Surface Water Quality Bureau, New Mexico Environment Department

SUBJECT: **Request for Agency Comments, Amended New Minimal Impact Exploration Permit Application, Cebolleta Exploration Project, Cibola County, New Mexico, Permit Tracking No. CI018EM**

On June 1, 2023 the Surface Water Quality Bureau (SWQB) received a request for comments regarding the Subject application submitted by Toltec Mesa Resources, LLC on behalf of Cibola Resources, LLC. Toltec Mesa Resources, LLC has provided a response to agency comments dated May 16, 2023 that includes a response to SWQB's previous comments dated March 28, 2023. Toltec Mesa Resources, LLC response includes the following:

> "Cibola does not anticipate having any discharge with this project, will protect surface water from stormwater runoff from disturbed sites during operations and until the sites are reclaimed."

SWQB recommends that the operator file an NPDES Multi-Sector General Permit (MSGP) No Exposure Certification with the U.S. Environmental Protection Agency to confirm that there will be no discharges from the exploration project. The 2021 MSGP can be found at https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-epas-2021-msgp. The No Exposure Form is Appendix K, available at https://www.epa.gov/sites/default/files/2021-01/documents/2021_msgp_-_appendix_k_-_no_exposure_certification_nec_form.pdf.

For questions related to these comments, please contact Alan Klatt, SWQB, at 505-819-9623.