

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Michele Lujan Grisham**  
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Cabinet Secretary

**Todd E. Leahy, JD, PhD**  
Deputy Cabinet Secretary

**Albert Chang, Director**  
Mining and Minerals Division



**Electronic Transmission**

September 18, 2023

Todd Whitacre  
Imerys Perlite USA, Inc.  
150 East Main, Suite 320  
Femley, NV 89408

**RE: Application Administratively Complete, No Agua Mine Updated  
Closure/Closeout Plan, Revision 23-1, Permit No. TA005RE**

Dear Mr. Whitacre,

The New Mexico Mining and Minerals Division (“MMD”) received an application to Revise Permit No. **TA005RE** No Agua Mine on July, 25, 2023 from Imerys Perlite USA Inc. (“Imerys”) titled, “No Agua Mine Closeout Plan Update” (“Application”). Pursuant to 19.10.9.903 NMAC Imerys submitted proof of public notice via email on September 15, 2023 and received the Permit Revision fee on August 1, 2023 MMD has assigned Revision 23-1 to process the Application.

MMD has conducted a review of the Revision 23-1 Application and hereby deems the application to be administratively complete pursuant to 19.10.5.506.D NMAC. In accordance with 19.10.9.903.I NMAC, Imerys shall notify the people who have indicated to MMD that they desire information regarding the application and those individuals and organizations that are on a list maintained by MMD who have requested notice of applications that have been deemed administratively complete. Imerys shall notify these parties in writing and by first class mail. A list of those individuals and organizations is attached. Imerys shall provide MMD with timely proof that the required notifications have been made.

MMD will be sending request for comment letters to the state agencies for the Revision 23-1 Application pursuant to 19.10.5.506.E NMAC. The agencies will have 60 days in which to provide comments, excluding approved time extensions.

Please contact me at (505) 216-8945 or at [samantha.rynas@emnrd.nm.gov](mailto:samantha.rynas@emnrd.nm.gov) if you have any questions.

Sincerely,



Samantha Rynas, Permit Lead  
Mining Act Reclamation Program ("MARF")  
Mining and Minerals Division

Enclosure

CC: David (DJ) Ennis, Program Manager, MARF, MMD