From: Ken Balser
To: Barnes, Kevin, EMNRD
Cc: Ennis, David, EMNRD; Joe Navarro
Subject: [EXTERNAL] Permit, Peloton Grp, Agency review comments
Date: Thursday, November 2, 2023 3:22:09 PM
Attachments: DEXPAN Non_Explosive_Demolition_Agent.pdf

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Kevin Barnes, Permit Lead
MARP
1220 S. St. Francis Dr,
Santa Fe, NM 87505

Dear Kevin,

The following document should address the comments and concerns expressed by the following agencies In the order they were submitted. I have used the State of NM acronyms
as contained in your letter to identify the agencies involved most clearly. It has been a pleasure working with you in this matter, and I hope to have enough success in this endeavor to work with you again on future Permit Applications.

Background Comments are accurate. I agree with the statement in the NMED Summary Comment and will ensure our activities are protective of the environment.

NMED GWQB and SWQB:

I acknowledge the comments from the Ground Water Quality Bureau and the Surface Water Quality Bureau regarding our operations at the Drolte Hole Project. In particular, All spills will be immediately reported as required at the phone #'s listed in the MECS comments, and such numbers will be available at the work site when operations are underway. The Summary of proposed actions as detailed in the Memorandum dated 10/3/2023 from SWQB to GWQB are accurate and agreed. Best management Practices as detailed in the Plan of Operations and submitted to the BLM will be followed and maintained.

NMED Air Quality Bureau :

I acknowledge the comments of the Air Quality Bureau and note they have no objection to this permit request. Fugitive dust will be contained during our reclamation activities.

NMDG&F:

I acknowledge and agree with the comments issued by the NMDG&F.

FORESTRY:

I acknowledge and agree with the comments of the EMNRD- Forestry Division.

NMDCA/HPD:

I acknowledge the comments of the NMDCA/HPD and agree to their appraisal of this project. It was suggested that the BLM should be contacted regarding an archaeological survey of the drill hole project

area. This has been done as of 11/02/2023 with the BLM district office in Las Cruces, NM. Since the office and personnel are very familiar with the drill hole area, no survey need is anticipated, but recommendations of the BLM will be pursued.

MECS:

I acknowledge the comments contained in the MEMORANDUM dated10/6/2023 from David Mercer, Susan Slyer, and Sufi Mustafa. There are 3 areas requiring note:

1. If groundwater is encountered, a sample will be taken, analyzed, and the results forwarded to GWQB-MECS.
2. After reviewing the requested MSDS for the Dexpan product, (see Attached), it becomes apparent this product is not suitable for use in a closed environment due to the potential respiratory implications. We have therefore decided NOT to use this product, also avoiding any potential groundwater impact. I would like to thank MECS for ensuring we avoided any worker health concerns.
3. A detailed explanation of stockpile material handling was requested. My response is that no runoff or infiltration into groundwater is expected. Existing workings and tunnels are quite dry. Dust is present underground in sufficient quantities to recommend mask usage by all personnel. One of the first actions at this project will be the construction of a simple berm to channel any rainwater or snowmelt away from the shaft entrance, so the expectation is that the material environment will remain dry for the duration of the project. It is important to note that material moved offsite is expected to be removed on a daily basis and not stored above ground but rather transferred directly onto removal vehicles. No Stockpiles above ground are anticipated. Exploration byproducts can be stored underground in existing dry areas near the workings more economically than transporting low quality rock off site. Material will be managed to prevent infiltration into groundwater.

Thanks again Kevin for your assistance as I navigated this unfamiliar process. If there are any areas I neglected, or if you wish further comments, please inform me ASAP. We are eager to begin the next phase of our project in compliance with both State of NM EMNRD and Federal BLM requirements.

Sincerely,

Ken Balser
The Peloton Group, LLC