



MEMORANDUM

Date: April 2, 2024

To: David Ennis, Program Manager, Mining Act Reclamation Program

Through: Anne Maurer, Team Leader, Mining Environmental Compliance Section

From: Amber Rheubottom, Mining Environmental Compliance Section
Alan Klatt, Surface Water Quality Bureau
Sufi Mustafa, Air Quality Bureau

Subject: **NMED Comments, 2024 Erosion Mitigation Implementation Plan, JJ No. 1 Mine, SOHIO Western Mining Company/Rio Tinto, Cibola County, New Mexico Mining Act Permit No. CI007RE**

The New Mexico Environment Department (NMED) received correspondence from the Mining and Minerals Division (MMD) on February 2, 2024, requesting NMED to review and provide comments on the above-referenced MMD permitting action. Pursuant to the Mining Act, this is a regular existing mine with Mining Act Permit No. CI007RE. MMD requested comments within 60 days. NMED has the following comments.

Background

MMD received the *2024 Erosion Mitigation Implementation Plan (Plan)* from SOHIO Western Mining Company/Rio Tinto (permittee) on January 31, 2024. The Plan addresses the completion of erosion mitigation on the JJ No. 1 Mine site.

Air Quality Bureau

The Air Quality Bureau has no comments.

Surface Water Quality Bureau

The Surface Water Quality Bureau comments are attached.

David Ennis
JJ No. 1 Mine, CI007RE
April 2, 2024

Mining Environmental Compliance Section (MECS)

MECS has the following comments:

1. Please indicate what water source will be used for the erosion mitigation work. If the water is sourced from off-site and is from a public drinking water system, MECS will not request the water to be sampled and analyzed for New Mexico Water Quality Control Commission (NMWQCC) 20.6.2.3103 NMAC constituents. If the water is not from a public drinking water system or is sourced on-site, MECS requests that any water used on-site for this workplan be tested for NMWQCC 20.6.2.3103 NMAC constituents prior to use and the results submitted to MECS. If any constituents exceed the NMWQCC standards, an alternative source needs to be found. MECS also requests an estimate of the amount of water used on-site to be submitted at the completion of the project.
2. MECS requests a site visit to be coordinated at the start of the project.

NMED Summary Comment

NMED has determined that the activities proposed in the application including responses to these comments will be protective of the environment.

If you have any questions, please contact Anne Maurer at (505) 660-8878.

cc: David Ennis, Program Manager, EMNRD-MMD
Joe Fox, Program Manager, MECS
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