



Electronic Delivery Only

July 3, 2024

Samantha Kretz
GCC Rio Grande, Inc.
PO Box 100
Tijeras, NM 87059
skretz@gcc.com

Re: Response 2 to Notice of Intent to Discharge for Off-Spec Coal, No Discharge Permit Required, GCC Rio Grande, Inc., Tijeras Plant

Dear Samantha Kretz,

The New Mexico Environment Department (NMED) received a Notice of Intent to Discharge (NOI) from GCC Rio Grande, Inc. (GCC) for activities at the Tijeras Plant. The NOI addresses disposal of off-spec coal associated with the cement kiln dust operation. The NOI was requested by NMED and is a permit condition in the New Mexico Mining Act Permit No. BE001RE, Revision 20-1, issued by the Mining Act Reclamation Program of the Energy, Minerals and Natural Resources Department. NMED received the NOI on February 23, 2024, which included a description of activities that have the potential to discharge to surface water and groundwater and includes Toxicity Characteristic Leaching Procedure (TCLP) and Synthetic Precipitation Leaching Procedure (SPLP) material analytical results. Based on the submittal, NMED responded with a letter dated March 22, 2024.

GCC answered the questions in the March 22, 2024, letter via email, and performed the requested re-sample event on April 12, 2024, while NMED was present on-site. GCC submitted the re-sample results on June 6, 2024. Based on the results of the second sample event, GCC has fulfilled its commitments for the NOI. NMED recommends GCC continue with segregation of the material, appropriate interim cover for dust, groundwater and surface stormwater controls. NMED does not require a discharge permit at this time. However, NMED reserves the right to require one in the future if site conditions change, and this does not relieve GCC of its responsibility to comply with any other applicable federal, state and/or local laws and regulations. This decision conforms to the NMED Delegation Memorandum dated February 19, 2024, through which the Cabinet Secretary has delegated this authority to the Chief of the Ground Water Quality Bureau.

If you have any questions, reach out to Amber Rheubottom of my staff at 505-660-2379 and amber.rheubottom@env.nm.gov or Joseph Fox at 505-660-9060 and joseph.fox@env.nm.gov.

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Samantha Kretz
July 3, 2024

Justin Ball, Chief
Ground Water Quality Bureau
New Mexico Environment Department

JF:ar

Ecc – Alaina Osimowicz Alaina.osimowicz@emnrd.nm.gov
Alan Klatt, alan.klatt@env.nm.gov