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July 31, 2026

Abimbola Ojekanmi
Uranium Mine Reclamation Coordinator
New Mexico Energy, Minerals, and Natural
Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87502-5469

RE: Response to Correspondence received from the New Mexico Energy, Minerals and Natural Resources Department's Mining and Minerals Division on March 31, 2026

Dear Mr. Abimbola:

With this letter, United Nuclear Corporation ("UNC") is submitting its responses to the comments ("RTC") contained in the correspondence UNC received from the New Mexico Energy, Minerals and Natural Resources Department's Mining and Minerals Division's ("MMD") on March 31, 2026. The March 31 correspondence contained the following documents and the RTC responds specifically to the same, including:

- March 9 MMD comments on St. Anthony Mine Site Closure-Closeout Plan (CCOP), 90% Design Report
- March 6 NMED comments to MMD on St Anthony Uranium Mine, 90% Closure Closeout Plan
- January 13 New Mexico Department of Game and Fish comments to MMD on St. Anthony Mine 90% Closure Closeout Plan.

Following receipt of MMD's concurrence on the RTCs, UNC will proceed with submitting a Final Closure Closeout Plan for MMD's approval.

UNC appreciates the opportunity to respond formally to these comments. Please contact the undersigned if you have any questions or would like to discuss the RTC.

Sincerely,

Lance M. Hauer, P.E.
Legacy Team Leader
GE Aerospace

July 31, 2026

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Cc: David Ennis, MMD
Clint Chisler, MMD
Joesph Fox, NMED
Emily Woolsey, INTERA
Melanie Davis, Stantec
Monique Mooney, GE Aerospace
Chad Baker, Holland & Hart

March 9 MMD comments on St. Anthony Mine Site Closure-Closeout Plan (CCOP), 90% Design Report

1 MMD CCOP_90

Comment: Dwg 28- The area addressed under the 2022 Supplemental Radiological Characterization south of Pit 1 seems to have some elevated areas of contamination that need to be addressed, however the 90% CCOP mentions that this area will be used for borrowing soil. Figure 4-1 of the 2022 Characterization Area does not seem to match up with Drawing 28 regarding this statement. Additionally, clean-up work may be necessary in this region. Please clarify.

Response: The removal area is shown on Sheet 5 and matches Figure 4-1. Depth of removal is generally 0-2 feet, with some select areas up to 5 feet. Sheet 28 shows the total excavation for the area, the volume of impacted materials will be removed and confirmed before borrow for unimpacted materials begins. This is accounted for in the material balance.

2 MMD CCOP_90

Comment: Provide a PMLU specific map as requested in this comment previously, i.e., a map showing the proposed PMLU of each area of the St. Anthony permit area including reclaimed units, piles, pits, borrow areas, etc.

Response: The post-mining land use figure was included in the 90% CCOP as Figure 1-1. A drawing will be added to the drawing set to show the PMLUs.

3 MMD CCOP_90

Comment: Confirm that a design is in place for berms at the toe of waste rock pile reclamation adjacent to Meyer Draw or justify the lack thereof. The design as presented seems to show toe berms for Pile 4 but not Pile 3.

Response: An additional berm was not included on the Pile 1-3 side because of the generally flatter slopes there, i.e., 4:1 compared with 3.5:1 on the Pile 4 side. Note that a stormwater berm is being included on Pile 4.

4 MMD CCOP_90

Comment: Provide information regarding the magnitude storm event that the Pit 1 Diversion Channels are designed to accommodate.

Response: All site diversion channels are designed to accommodate the 1/500-year return interval storm. See Section 6.5, Table 6-8.

5 MMD CCOP_90

Comment: Provide cover detail drawings for the Regraded In-Place Piles similar to what was provided for Pits 1 and 2 in Figures 6-3 and 6-4 respectively.

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Response: These cover details are included on Sheet 35 of the drawing set. Stantec will add similar figures to the text for reference.

6 MMD CCOP_90

Comment: The percent addition and size of gravel used in cover systems will need to be provided to MMD for approval through the Construction Quality Assurance Plan (CQAP) prior to reclamation construction beginning. Furthermore, will the cover detail 18/35 (Soil Cover with Gravel) also be applied to the lower slopes of Pile 3 reclamation?

Response: Percent addition and size of gravel is listed in the plan document in Section 6.6.3.3 and is 25% by volume, 1-inch D_{50} gravel mixed in the upper 12 inches of the 36-inch cover layer. The gravel is included on the lower slope of Pile 4 and select areas on the lower slopes of Pile 3, where the slopes are steeper than 4:1. Please see response to MMD Comment #7 regarding the CQAP.

7 MMD CCOP_90

Comment: Prior to implementation of reclamation activities, MMD will require a Construction Quality Assurance Plan (CQAP) to be submitted to MMD for review at least 180 days prior to construction commencing for each unit. This will be a permit condition.

Response: As agreed to with MMD, UNC will prepare and submit a stamped and sealed set of Issued for Bid (IFB) drawings to MMD for review with the final CCOP, as a substitute for a CQAP.

8 MMD CCOP_90

Comment: Please submit a Financial Assurance (FA) estimate for review.

Response: As memorialized in the email from Mr. Chisler (MMD) to Mr. Hauer (UNC) dated June 18, 2025, UNC will prepare and submit an updated FA following written notice from MMD that the CCOP and supporting documentation are approvable.

9 MMD CCOP_90

Comment: What is the lifespan of the STPP application and what monitoring will occur after application?

Response: There are numerous variables that make predicting the “lifespan” of the STPP challenging. These apatite-like minerals incorporate U and Ra and will coat the sediment with additional apatite-like minerals in a process taking months to years. This slow reaction provides a more thorough coating of apatite minerals on sediment surfaces that can act as a long-term sink for U and Ra.

Following application, the water will be sampled after 24 hours and then 3 days later for analytical properties. If initial sample values are not below the wildlife threshold values (WTVs) presented in Table 5-2, after consultation with the Engineer, the Contractor will conduct additional mixing and re-collect a 5-point composite sample for analysis for WTVs at the same time intervals as the previous step. The process will be repeated until compound concentrations

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are below WTVs. Once the pit water area is backfilled, no further monitoring will be conducted (See Section 6.3.6.2).

Per Section 5.5.2, "The future expression of groundwater at the base of Pit 1 after reclamation completion cannot be predicted with certainty. Accordingly, UNC plans to begin sampling for Ra-226 and Ra-228 one year after the initial, post-reclamation expression of groundwater in Pit 1 and to conduct annual sampling for five years thereafter, assuming expressed water is present in the pit. UNC will then evaluate the concentration trends to develop a frequency for future sampling events and revise the sampling frequency to align with other future sampling obligations."

10 MMD CCOP_90

Comment: App. H - Appendix H: For Zone 3 revegetation area in Pit 1, MMD recommends Cottonwood, *Populus deltoides*, pole planting.

Response: Comment noted. UNC will include Cottonwood, *Populus deltoides*, pole planting in Zone 3 revegetation for Pit 1.

11 MMD CCOP_90, Fig. 9

Comment: Figure 9: Please explain why the "underground shaft uranium mine" area will not require additional cover once contaminated soils are removed.

Response: The St. Anthony mine shaft was previously capped and closed. Surficial soil removals are planned for the St. Anthony shaft area on the order of 2-5 feet. Once impacted materials are removed from the ground surface, the areas will be graded to shed surface water and seeded with a site-specific seed mix. Localized fill may be needed during grading to fill lower areas like Ponds 1-5 and fill may be needed at the shaft cap if there is concrete above surrounding grades following removal.

12 MMD CCOP_90

Comment: In support of comments made by NMED Surface Water Quality Bureau, MMD is requesting additional details on how Pile 4 reclamation will tie into the East Tributary Channel aka "Arroyo del Valle". Please provide cover details of how Pile 3 will be tied into Arroyo del Valle along its full length.

Response: Detail 5/32 shows the pile armoring details for the locations where the Pile 4 Slope ties into the East tributary. The detail for the tie-in on the Pile 3 side of Meyer Draw is shown in Detail 3/32. This erosion protection on the west side of Meyer Draw would continue south along Pile 1 on the west side of Arroyo Del Valle.

13 MMD CCOP_90

Comment: App. H - The soil material balance, soil excavation plans and designs of covers adopted for this closure operation do not account for the minimum depth of baseline soils that are suitable for revegetation. MMD encourages GE/Stantec to have field technical support

during the soil conservation operation to ensure that soils that are best suited for revegetation are delineated from others and not mixed with deeper materials.

Response: The plans currently call for 6 inches of topsoil removal from the borrow areas, with this material being set aside and stockpiled for use in revegetation. This material can be prioritized for areas that may benefit from faster development of vegetation; however, this volume of material is not expected to be sufficient to cover all areas being reseeded. The revegetation plan does designate priority of borrow sources to be used for cover soils based on their expected quality for use as cover soils.

UNC/Stantec have consulted the project ecological specialist (Cedar Creek) supporting revegetation planning regarding this aspect of the project. Cedar Creek's opinion is that segregating borrow materials by depths for revegetation will generally not be practical for this project due to similarities of the borrow materials with depths in each area and the very large areas on the waste piles and pits that are being covered.

March 6 NMED comments to MMD on St Anthony Uranium Mine, 90% Closure Closeout Plan

1 Mining Env. CCOP_90 2.3-2.4

Comment: "Section 2.3 and 2.4 – Missing from the discussion is information on returning to the New Mexico Water Quality Control Commission (WQCC) to amend the final order and add additional Alternative Abatement Standards (AAS) which has been agreed to as part of the Stage 2 Abatement Plan Modification correspondence. MECS provides additional discussion below."

Response: Section 2.4 currently reads: "Consistent with NMED's response to comments dated December 19, 2024, UNC anticipates that NMED will conditionally approve the Stage 2 Abatement Plan Modification and support the WQCC approval of the AAS for iron and manganese during a future proceeding before the WQCC." This statement accurately reflects UNC's current understanding of the WQCC process pertaining to the addition of AAS for iron and manganese. No revisions are being proposed.

2 Mining Env. CCOP_90 5.5.2

Comment: Future monitoring will also need to ensure compliance with AASs. MECS will work with UNC to develop a post-closure monitoring plan once site activities on the ground have begun.

Response: Section 5.5.2 pertains to the future monitoring of water quality in the expressed water to evaluate wildlife exposure risk. As described in the Ecological Risk Assessment for the St. Anthony Mine Pit 1 Site submitted by UNC to MMD on November 30, 2023 (Cedar Creek, 2023) the Constituents of Interest (COI)s that present potential risk to wildlife are limited to Ra-226 and Ra-228. Accordingly, only these two COIs will be monitored in the Pit-1 expressed water. In accordance with 7.4.1, the groundwater monitoring will be developed as part of the post-closure monitoring plan. As requested by NMED, the post-closure monitoring plan will be prepared after construction commences.

3 Mining Env. CCOP_90 6.2.1

Comment: Pit Backfill Volumes – Please ensure temporary stockpile of engineered fill in the bottom of Pit 1 intended for use as clean cover is adequately segregated from impacted material in the bottom of Pit 1.

Response: Comment noted. Loose materials from the pit highwalls are to be removed from the walls before work in the pit bottom. These materials, as well as additional clean fill for the cover will be stockpiled separately from the impacted materials. This description will be added to the text of the plan.

4 Mining Env. CCOP_90 6.3.6.2

Comment: STPP Application – NMED requests review and approval of the analytical results and plan for the STPP application prior to implementation to ensure it is in accordance with the pilot results and New Mexico regulations.

Response: The proposed plan developed by the Contractor for STPP application will be shared with NMED for comment prior to implementation. Analytical results for the water post-application can be shared with NMED during the STPP application process.

5 Mining Env. CCOP_90 6.4.3

Comment: Pile Slope Stability - “The selected minimum FOS values for comparison used for these analyses are 1.3 for static, 1.0 for pseudo-static conditions, and 1.1 for shallow bench-scale failure. The stability models analyzed met the target factor of safety criteria for long-term static, pseudostatic, and static shallow bench failure modes” Is the 1.3 static in the first sentence the target factor of safety for long-term static?

Response: Yes, Stantec used a comparative FOS of 1.3 for the long-term static design case. The calculated FOS for the pile slopes are not less than 2.6 for the long-term static design case.

6 Mining Env. CCOP_90 6.6.4

Comment: Standards for the site need to meet the New Mexico Joint Guidance, not federal standards.

Response: The Joint Guidance specifies “that mine site radiation levels will be reclamation to radiation levels that are compliant with 40 CFR 192.12, 40 CFR 192.32 and 10 CFR 40.” These standards, along with the federal regulations/guidance for measurement procedures, are referenced in Section 6.6.4 to promote reclamation compliance with the federal standards in accordance with the Joint Guidance. Nonetheless, language will be added that references New Mexico’s Joint Guidance.

7 Mining Env. CCOP_90 7

Comment: Schedule – MECS directs UNC to submit the necessary documents for AAS addition and changing the final order with the WQCC as soon as possible. MECS will work on these items while UNC is addressing additional concerns from the agencies. MECS will approve the

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Stage 2 modification and submit an Environmental Determination to EMNRD, following the completion of those two processes. However, these tasks shall not impede the addressing of and resolution of comments from all regulatory agencies and beginning construction. If EMNRD requires Environmental Determination to proceed with their process, NMED will provide a conditional approval when 1) existing concerns have been adequately addressed and 2) documents for the AAS addition and changing the final order have been received.

Response: UNC does not understand the precise information that MECS seeks with its request for “the necessary documents for AAS addition and changing the final order with the WQCC.” MECS’ comment and directive also appear to contradict MECS’ prior views on the process for advancing the closeout plan and the Stage 2 Modification. In its December 19, 2024, letter, MECS stated:

NMED-MECS expects [UNC] to pursue the completion of the 90% CCOP, unencumbered by outstanding items with NMED-MECS and NMED-SWQB. When 1) MMD has deemed the CCOP technically complete and 2) NMED-MECS comments provided to MMD on the CCOP have been addressed NMED would conditionally approve the modification of the abatement plan to be signed by the Groundwater Quality Bureau Chief, pending approval of the additional AAS by the WQCC. At that time, NMED-MECS would advise [UNC] to petition the WQCC.

MECS’ comment also appears to conflict with the New Mexico Mining Act’s requirement that MMD receive “a written determination ... from the Secretary of the Environment Department stating that the application has demonstrated that the activities to be permitted or authorized will be expected to achieve compliance with all applicable air, water quality, and other environmental standards if carried out as described in the closeout plan.” NMAC 19.10.5.506.J.5, *see also*, NMSA 69-36-11(B)(4). A “conditional approval” does not satisfy the written determination requirement under the Mining Act and its regulations to support MMD approval of the closeout plan. Nor does it provide sufficient certainty necessary for UNC to begin construction to implement a closeout plan for which UNC has installed interim financial assurance totaling \$97.8 million dollars.

Nonetheless, UNC will submit to NMED an amendment to the Stage 2 Modification to incorporate alternative abatement standards (AAS) for iron and manganese and, separately, will work to develop the petition, testimony, and exhibits necessary for WQCC approval of the AAS petition. Upon NMED’s conditional approval of the Stage 2 Modification, UNC will petition the WQCC for approval of the AAS. Following NMED’s issuance of the Environmental Determination and MMD’s issuance of the reclamation permit, UNC will commence construction of the closeout plan.

1 SWQB CCOP_90

Comment: Retain the 2006 Closeout Plan’s regrade requirement that states, “Material piles will be set back 50 feet from the edge of the natural channels.” Appendix F of the 90% CCP says, “From the arroyo edges, the pile will be sloped approximately at a design grade of 20 percent”. A zero-setback distance does not adequately protect water quality.

The 2007 Materials Characterization Report's Synthetic Precipitation Leaching Procedure (included as Appendix B.1 of the 90% CCP) describes "potential constituents of concern during site closure for protection of surface water or groundwater may include gross alpha, radium-226 and possibly aluminum in limited areas of the Site."

A setback distance is necessary to reduce the potential for contaminants to leach into Arroyo del Valle. A setback distance is also necessary to protect Arroyo del Valle from the waste rock piles should the engineering controls fail and Arroyo del Valle meanders towards the waste rock piles to regain sinuosity that was reduced as a result of mining activities.

Response:

There are numerous aspects of the closure plan from 2006 that have been modified with additional protections included in the 90% CCOP (i.e. designs for the 1/500-year storm, a 36-inch earthen cover over the waste piles, a stormwater diversion berm along the arroyo on Pile 4, and extensive riprap armoring along the base of the piles along the arroyos).

As described in Section 2.3.2 of the St. Anthony Stage 1 Abatement Plan, the results from the five sampling events in Meyer Draw did not show statistically significant loading of constituents of concern (COC) from the St. Anthony mine when compared to variations in COC loading from upstream sources and background COC concentrations. Accordingly, pile stabilization and runoff controls were identified to address potential surface water impacts to the arroyos. The 90% CCOP further proposed removal of mine material from Meyer Draw and Arroyo del Valle, installation of a 3-foot cap on the piles, and the routing of stormwater around potential contact areas. Because the non-reclaimed piles in their current state are not leaching and the design to isolate and cap impacted materials will further protect against potential impacts to the arroyos, surface water sampling is not warranted.

Stantec reviewed historical aerial imagery for the East Tributary Arroyo (ETA) of the Arroyo Del Valle for the period between 1935 and the present day to evaluate the potential lateral erosion envelope for the ETA near Pile 4. This comparison showed that the ETA's alignment through the site has changed very little in the last 50 years, outside of the area where Pile 1 (on the west side of Pile 4) was pushed over the former confluence of Meyer Draw and the ETA. Based on this review, the options to address potential lateral movement of the arroyo over time include either armoring the arroyo in place or offsetting the toe of Pile 4 away from the existing arroyo. Because there is no discernible offset between Pile 4 and the ETA for much of the reach adjacent to Pile 4, constructing the regraded pile toe to daylight would require additional excavation into native material, which could result in the area being more susceptible to erosion. By comparison armoring the slopes to protect the bank is anticipated to result in greater long-term stability for this location. Therefore, we recommend removing native material only to facilitate armoring rather than for regrading the east Pile 4 slope and relocating significant volumes of mine materials from the east side of the pile to another location.

Based on the above assessment, we do not plan to add additional setback between Pile 4 and the ETA and will keep the design in that area as shown in the 90% CCOP drawings. This

approach includes excavation of stockpiled material and some native bank material to flatten the banks to a 3:1 (H:V) slope to facilitate armoring the ETA with $D_{50} = 12$ -inch riprap, in locations where the channel meanders westward toward Pile 4.

The riprap has been sized based on flow hydraulics for the 1/500-year exceedance-probability storm event within the ETA and includes a vertical toe down to the depth of estimated scour during the 1/500-year exceedance-probability storm event. The rock armor is designed for locations where potential future lateral migration could potentially undercut the regraded pile if left unarmored. During the 12 years of post-construction monitoring, we will evaluate the effectiveness of this approach.

2 SWQB CCOP_90

Comment: If it is not economically feasible to restore Arroyo del Valle to a self-sustaining ecosystem which does not rely on engineering controls, a long-term contingency plan to fund, monitor, repair, and adapt the engineering controls in perpetuity must be developed as an appropriate measure to ensure the waste unit will meet surface water standards following closure (19.10.5.506.J.3 & 19.10.5.506.J.5 NMAC). When the rip-rap or concrete structures fail or deteriorate, the waste rock pile materials will be at a significant risk of being eroded into Arroyo del Valle, impacting water quality.

Section 6.2.3 of the 90% CCP identifies impacted material from the waste unit is currently above the Soil Action Level and will need to be excavated and removed from the arroyo. Arroyo water quality data from 2004, submitted by INTERA as part of the 2006 Closeout Plan, shows uranium, radium 226, and gross alpha concentrations increasing downstream of the mine. Therefore, the engineering controls must be maintained indefinitely to prevent additional waste material from impacting the arroyo and water quality. The introduction to Appendix I Monitoring and Maintenance Plan of the 90% CCP says that monitoring will be required until bond release or up to 12 years, and monitoring and maintenance beyond this time frame would be addressed in future revisions of this plan.

Response: It is UNC's understanding that engineering controls and a self-sustaining ecosystem are not mutually exclusive. Further, the plan does not include engineering controls in Arroyo del Valle. The three structures are proposed to be located in Meyer Draw upstream of the confluence with Arroyo del Valle. The plan includes the removal of the impacted materials from the arroyos and stabilization of these materials either in one of the pits or beneath a 3-foot engineered cover. UNC will monitor and maintain the completed engineering controls until bond release.

3 SWQB CCOP_90

Comment: Include a surface water quality monitoring plan in Section 7.4 (Post-Closure Requirements) for Arroyo del Valle. Section 7.4.1 (Water Quality Monitoring and Reporting) includes groundwater quality monitoring but does not include surface water quality monitoring. The surface water quality monitoring plan should include a minimum of four seasonally-distributed sampling events and include sampling above and below the St. Anthony Mine following reclamation.

Response: As described in Section 2.3.2 of the St. Anthony Stage 1 Abatement Plan, the results from the five sampling events in Meyer Draw did not show statistically significant loading of constituents of concern (COC) from the St. Anthony mine when compared to variations in COC loading from upstream sources and background COC concentrations. Accordingly, pile stabilization and runoff controls were identified to address potential surface water impacts to the arroyos.

In addition, due to the remote nature of the site, it is infeasible to consistently and safely obtain representative samples from the arroyos, as evidenced by past failed attempts to do so. The Final CCOP will include monitoring of the design control measures and compliance with NPDES requirements as applicable.

January 13 New Mexico Department of Game and Fish comments to MMD on St. Anthony Mine 90% Closure Closeout Plan

1 NM Dept. Game and Fish CCOP_90

Comment: App. H - The Department generally concurs with the recommended reclamation seed mixes in Tables 3 and 4 in Appendix H: Revegetation Plan. However, in the upland alternative species list, the forb small burnet (*Sanguisorba minor*) is not a native species. The Department recommends substituting either white prairie clover (*Dalea candida*) or Indian blanket (*Gaillardia pulchella*) as an alternate native forb species. When possible, the Department recommends using seeds that are sourced from the same region and habitat type as the reclamation site and suggests including seeds from a region that represents potential future climatic conditions at the site.

Response: Comment noted. Either white prairie clover (*Dalea candida*) or Indian blanket (*Gaillardia pulchella*) will be substituted as an alternate native species for small burnet (*Sanguisorba minor*).