

State of New Mexico
Energy, Minerals and Natural Resources Department

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Electronic Submission

September 1, 2026

Chase Foreman, CPG
UNC/GE Aerospace

and

Kelly Johnson, PhD, PG
Site Assessment Manager
Stantec Consulting Service Inc.,

Re: Review of Section 27 Mine Supplemental Characterization: Field Report (DRAFT), dated August 11, 2026, by United Nuclear Corporation, McKinley County, New Mexico. Permit Tracking No. MK005RE.

Dear Mr. Foreman,

The New Mexico - Mining and Minerals Division (MMD) has received and reviewed *Section 27 Mine Supplemental Characterization Field Summary Report (DRAFT)*, dated August 11, 2026.

MMD has compiled the following comments below and asks that UNC provide response.

1. This draft report included geotechnical data with *sparse discussion* on the implications of the dataset, especially in relation to the 3 *objectives* identified in the document. Page 6 of the draft report stated: “UNC/Stantec also collected samples to characterize the geotechnical *properties of the borrow source* to be used for *backfill and potential cover material* and to characterize the *physical properties of the mine waste materials*”.

Based on geotechnical data, UNC/Stantec should provide one or two paragraphs in the result section on the suitability of soils within the borrow as potential material for constructing evapotranspirative (ET) cover. Such discussion, for example, should consider the following;

- a. Based on the textural or USCS soil classification; what functional aspect of ET cover do we have in our control? infiltration? impermeability? water retention?
- b. Is there a possibility of importing additional soil to complete ET-cover?

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- c. Do we have sufficient soil types required to complete a resilient, low level radioactive containment system?
 - d. What is the implication of the physical properties of mine waste in this case; i.e. how will the soil material, most likely, behave in an engineered containment structure?
2. What is the primary driving factor that influences the choice of the borrow source location?
3. Section 3.2.1.2 confirmed a volumetric estimate of 340,985 cy of soil that exceeds IL of 6.5 pCi/g. Can UNC/Stantec provide more information on how this volume was calculated?
4. Page 26, paragraph 3, discussed Table 3 and confirmed 2 important pieces of information:
- i) Ra-226 is the primary factor determining the maximum depth of contaminated soil as shown in Table 2.
 - ii) Metal distribution in the same soil is less than the NMED SSL, including Uranium, Thorium, Potassium,

In other words, radioactive elements quantified using mass-based concentration (mg/kg) do not demonstrate metallic element contamination of the soil; meanwhile measurements based on radioactivity (cpm, pCi/g) deemed the same soil as contaminated.

- a. Is this strictly due to approach in defining limits of contamination?

There seems to be disparity between “activity”, and “mass or concentration” based assessment of radioactive elements in this case. In equilibrium state, the assumption is that “radioactivity” is proportional to “mass-based concentration” for specific element by “specific activity”. {activity = k (mass concentration), k = specific activity}

- b. Can UNC/Stantec provide more information on the effect of *systemic non-equilibrium on specific activity* in this case.
 - c. Is this disparity sufficient to distinguish between soil materials with “natural” and “processed/milled” radioactivity, in this case?
5. Considering this report confirmed the existence of mill impacted radioactive material around and within Section 27 mine;
- a. How does UNC intend to prevent such deposition in the future, post reclamation?
 - b. Any idea regarding existing deposition pathway and options for “source control”?
 - c. Does this conclusion about the presence of mill impact material and distribution of such, within soil profile, have any impact on how the site reclamation and remediations should proceed?

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6. Please provide MMD with a schedule and timeline regarding submitting an updated CCP with Reclamation Plan for the Section 27 Mine.
7. To facilitate prompt and timely communication, UNC should provide responses to questions/concerns raised above in the updated version of the draft characterization report, as much as possible, rather than preparing a separate response letter.

For further questions and clarification, please contact Abimbola Ojekanmi at (505) 490-0726 or by email at abimbola.ojekanmi@emnrd.nm.gov.

Sincerely,

/s/ Abimbola.Ojekanmi

Abimbola Ojekanmi, PhD
Uranium Mine Reclamation Coordinator
EMNRD - Mining Act Reclamation Program

cc:

Clint Chisler, Reclamation Supervisor – EMNRD-MARP
DJ Ennis, Program Manager – EMNRD-MARP