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NEW MEXICO ENVIRONMENT DEPARTMENT

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ELECTRONIC DELIVERY

August 6, 2020

Audi Padilla, Zeolite Superintendent
P.O Box 196
Winston, NM 87943

RE: Termination of Discharge Permit, DP-314, St. Cloud Mining Company

Dear Mr. Padilla:

The New Mexico Environment Department (NMED) received your request for termination of your groundwater discharge permit (DP-314) dated February 26, 2019 (Request). The Request describes the operation, closure, and post-closure monitoring associated with four tailings impoundments at the St. Cloud Zeolite Mine facility that are regulated under DP-314. This letter responds to your Request.

Pursuant to 20.6.2.3109 NMAC, NMED originally issued DP-314 to St. Cloud Mining (St. Cloud) on February 3, 1984. DP-314 authorized operation of a 400 ton-per-day conventional flotation mill to concentrate silver & copper sulfide ores with subsequent discharge of mill tailing slurry. Four Tailing Impoundments (Nos. 1 – 4) were constructed to contain tailing slurry from the flotation mill. Following cessation of metal processing and tailing discharge, St. Cloud excavated the contents of Tailing Impoundment No. 1 and sold the material offsite as flux. As stated in the Request, Tailing Impoundment No. 1 has been used since 1991 to store zeolite fines in association with zeolite mining operations that are being conducted under New Mexico Mining Act permit No. SI006RE. The zeolite mining operations are not subject to regulation under the Water Quality Control Commission (WQCC) Regulations (20.6.2 NMAC). St. Cloud closed Tailing Impoundments No. 2, 3, and 4 in 1997 pursuant to the October 20, 1995 NMED-approved Closure Plan. St. Cloud has monitored groundwater in three monitoring wells in accordance with DP-314 for over twenty years. The St. Cloud Zeolite Mine is located approximately 3.5 miles southeast of Chloride, in Section 04, Township 12S, Range 8W, Sierra County.

DP-314 requires that St. Cloud complete specific closure and post-closure activities. The Request, associated photographic documentation, and a site inspection conducted by NMED personnel on May 27, 2020, demonstrate completion of the following closure activities:

1. NMED staff inspected the entire reclaimed tailing pond surfaces on May 27, 2020 and found that the cover systems emplaced on Tailing Impoundments No. 2, 3, and 4 are intact and stable, including well-established vegetation and engineered stormwater channels. The reclaimed tailing impoundments have met the requirements of DP-314 for vegetation establishment and long-term stability.
2. St Cloud was required to conduct post-closure monitoring following closure of the tailing impoundments under DP-314. Monitoring Wells 1, 2, and 3 were monitored from 1997 to 2019 and demonstrate compliance with New Mexico groundwater quality standards (20.6.2.3103 NMAC). In 2018, NMED split samples with St. Cloud from the two down-gradient monitoring wells. NMED's results were consistent with St. Cloud's reported results, demonstrating that WQCC standards are being met.

The completion of these closure and post-closure measures satisfies the requirements of DP-314 and **NMED hereby terminates DP-314.**

The closure activities required pursuant to DP-314, including placement of a cover system over the mill tailing, successfully isolated the encapsulated waste from the environment in a manner that ensures protection of water quality and that a discharge no longer occurs. Failure to maintain the cover system over the long-term may result in exposure of the encapsulated waste to the environment and subsequently discharge water contaminants. Discharge of water contaminants without an approved discharge permit is a violation of the WQCC Regulations (20.6.2.3104 NMAC). In addition, as set forth in 20.6.3109.F NMAC, if a permit is terminated and the standards of 20.6.2.3103 NMAC are being or will be exceeded in groundwater, or the water quality standards for interstate and intrastate streams in New Mexico are being or may be violated, the Secretary may require the discharger to submit an abatement plan pursuant to 20.6.2.4104 and Subsection A of 20.6.2.4106 NMAC. NMED recommends periodic inspection, at least semi-annually, of the cover system to ensure the integrity is maintained over time.

Although you are no longer required to have a discharge permit for this Facility, you are not relieved of liability should the operation result in actual pollution of surface or ground waters. Further, this termination action by NMED does not relieve you of your responsibility to comply with any other applicable federal, state, and/or local laws and regulations, such as zoning requirements, plumbing codes and nuisance ordinances.

If you have any questions, please contact George Llewellyn at (575) 956-1549 or Kurt Vollbrecht, Program Manager of the Mining Environmental Compliance Section, at (505) 827-0195.

Sincerely,

Rebecca Roose
Director, Water Protection Division

cc:

Kurt Vollbrecht, Program Manager, MECS (signed PDF copy sent via electronic mail to: kurt.vollbrecht@state.nm.us)

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Sierra County File