

New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Jim Noel
Cabinet Secretary

Karen Garcia
Deputy Cabinet Secretary



Bill Brancard
Division Director
Mining and Minerals



September 14, 2010

090376

Michelle Ensey
Department of Cultural Affairs
Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501



RE: Request for Review and Comment, Closeout Plan Waiver Modification, Tyrone Mine, Revision 10-1, Permit No. GR010RE

Dear Ms. Ensey:

The New Mexico Mining and Minerals Division (MMD) received a submittal from Freeport-McMoRan Tyrone, Inc. (FMTI), dated August 25, 2010 titled, *Revision of Closeout Plan for Permit No. GR010RE Tyrone Waiver Modification Evidence of Public Notice and Fee Payment (Additional Information)* in support of a submittal titled, *Application for Modification of Waiver – Tyrone Mine Permit GR010RE (Application)* dated July 28, 2010. MMD reviewed the Application and informed FMTI that it was administratively incomplete in a letter dated August 16, 2010. FMTI subsequently submitted the Additional Information to make the Application administratively complete. The Application requests a modification to the Conditional Waiver for the Tyrone Mine that was approved by MMD on April 12, 2004. Specifically, FMTI is requesting approval for adding 135 acres of new pit area and 462 acres of interior stockpile area to the areas of four open pits at the Tyrone Mine that have received a conditional waiver from the requirement of achieving a post-mining land use or self-sustaining ecosystem. Pursuant to 19.10.7.701.E NMAC a notice of receipt of the Application is hereby being sent to you.

A copy of the Application is enclosed for your review. MMD requests that you review the Application and provide comments, if any, within 60 days after the receipt of this letter. A copy of the Application may also be viewed at the MMD website at:

<http://www.emnrd.state.nm.us/MMD/MARP/permits/GR010RE.htm>

If you have any questions regarding the Application, please contact me at (505) 476-3432, or by email at: david.ohori@state.nm.us.



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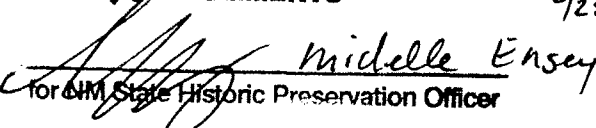
Sincerely,



David Ohori, Permit Lead
Mining Act Reclamation Program (MARF)

Enclosure

cc: Chuck Thomas, Executive Manager, Mine Reclamation Bureau, MMD
Holland Shepherd, Program Manager, MMD/MARP
Mine File (GR010RE)

~~NO~~ COMMENTS 10/25/10

for OHM State Historic Preservation Officer