

MK001PR

DORIS MINE

**PRIOR RECLAMATION INSPECTION REPORT
AND
RECOMMENDATION FOR RELEASE OR PERMIT
REQUIREMENT**

**Hecla Mining Company
Doris and Hope Mines**

**Submitted in Partial Fulfillment of New Mexico Mining Act
Section 69-36-7 U, Prior Reclamation**

**New Mexico Energy, Minerals and Natural Resources Department
Mining and Minerals Division
Mining Act Reclamation Bureau**

September 18, 1995

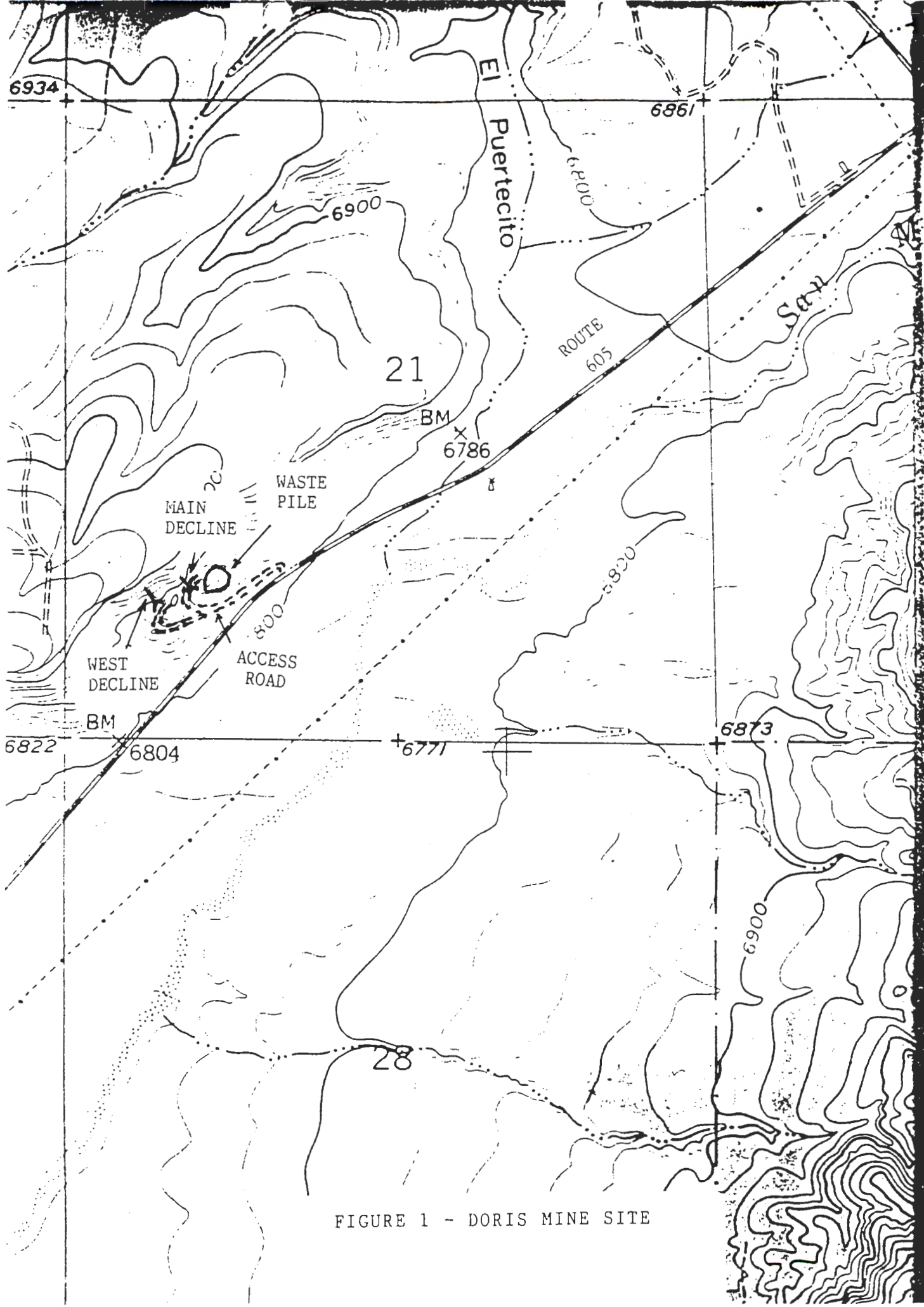


FIGURE 1 - DORIS MINE SITE

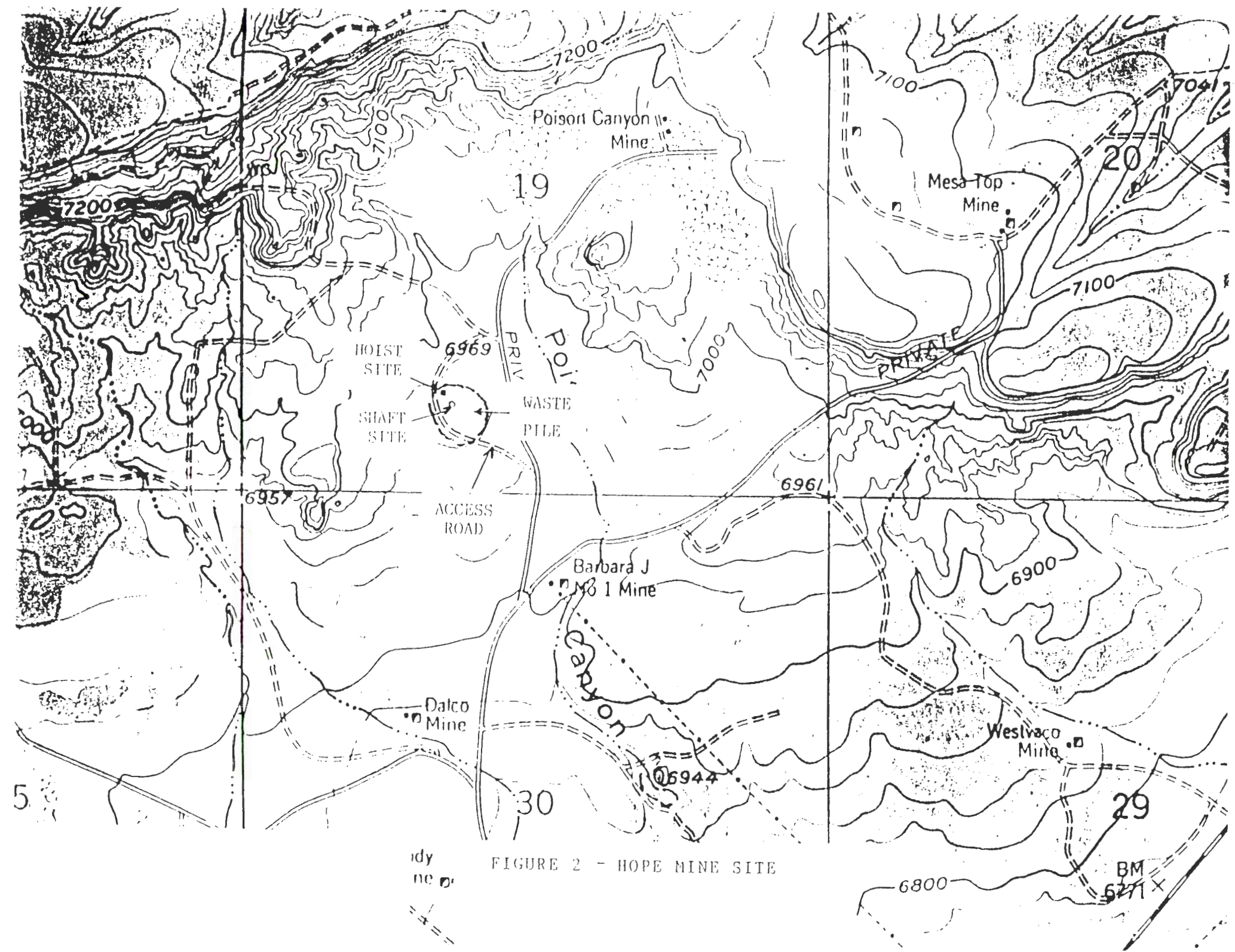


FIGURE 2 - HOPE MINE SITE

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Introduction

The purpose of this study was to determine if reclamation measures at Hecla Mining Company's Doris and Hope Mines satisfy requirements of the New Mexico Mining Act and the substantive requirements for reclamation pursuant to the New Mexico Mining Act Rules.

Doris and Hope Mine prior reclamation sites are located in McKinley County approximately 15 miles northeast of the City of Grants, New Mexico. The mines are within two miles of each other and are delineated in Figures 1 and 2, respectively. Each site comprises approximately 10 acres of disturbed area.

The owner of the surface estate of the Hope and Doris Mines is Isabella Marquez, a local rancher. The mineral rights belong to Cerrillos Land Company (Gamble, 1995).

Doris Mine

The Doris Mine is located in Section 21 T13N R9W. The mine was a relatively small underground mine operated by Ranchers with contract miners. Ranchers merged with Hecla in 1984. The mine had two decline entries that advanced from the southeast facing slope of the east edge of Mesa Montanosa in the southwest quarter of Section 21. Figure 1 depicts the location of the mine within Section 21. The map scale is approximately 1:12,000 and shows the approximate limits of the declines and the waste rock pile. This mine site was reclaimed by Cerrillos Land Company (a subsidiary of Santa Fe Pacific Gold) three to four years ago. The reclamation effort included backfilling, regrading, sealing of openings and reseeding (Hecla, 1994).

There is no surface water near the Doris mine. Surface drainage is to San Mateo Creek, an ephemeral stream, which is approximately 1000 feet southeast of the mine.

Hope Mine

The Hope Mine is located in the SE 1/4 of the SW 1/4 of Section 19 T13N R9W approximately two miles west of the Doris Mine. It was also a small underground mine operated by Ranchers. Figure 2 depicts the location of the mine within Section 19. The map scale is also 1:12,000 and shows the approximate limits of the reclaimed area. This mine site was also reclaimed by Cerrillos Land Company three to four years ago. The seed mix that Cerrillos Land Company used is not known. The reclamation effort included backfilling, regrading, sealing of openings and reseeding (Hecla, 1994).

There is no surface water near the Hope Mine. All streams in the area are ephemeral. Surface Drainage is to an unnamed tributary of San Mateo Creek.

Inspection Procedures

Prior reclamation inspection by the Mining and Minerals Division at Hecla Mining Company's Doris and Hope Mines was conducted August 30, 1995. Mr. Gary Gamble, Environmental Supervisor and Mr. Allen Kunz, Consultant represented Hecla Mining Company. Dr. Robyn Tierney, Reclamation Specialist and Mr. Robert Young, Environmental Engineer represented the New Mexico Mining and Minerals Division.

The inspection consisted of review of information submitted by the mine operator, subsequent discussion with the operator pertaining to mining and reclamation at each mine, inspection of the general condition of the reclaimed mine sites, measurement of reclaimed soil depths, line-intercept sampling for estimates of vegetative cover, compilation of plant species lists and photo documentation of vegetative cover and diversity. Each of the mine sites was visually inspected for erosion features and hydrologic stability. During a walkover of each site, all slopes and areas of water concentration (ponds, diversions and areas where disturbed areas enter undisturbed lands) were visually inspected for stability. Topsoil replacement and distribution were also evaluated at each site. Sampling for topsoil depth consisted of randomly digging a series of holes to identify the depth of topsoil and the presence or absence of potentially toxic wasterock at rooting depth. Grading of all wasterock piles and borrow areas was visually inspected. Placement and closure of portals and vent shafts were verified in the field.

The establishment and relative percent cover of reseeded and native plant species were evaluated in randomly placed transects. Fifty foot transects were evaluated at each mine site using the line intercept method (Bonham, 1989). These transects were used to estimate the relative percent cover of each plant species intercepted at 3 foot intervals along a transect. A total of 17 points per transect were recorded. In addition, a list of species present within a 50-foot X 6 foot transect adjacent to each transect was compiled. These sampling procedures, however, do not meet sample adequacy. Rather, these procedures were conducted to estimate the relative percent cover and to evaluate the diversity of species present at each of the mine sites. Additional resources would be needed to fully evaluate the vegetation of these prior reclamation sites to a level of sample adequacy and would require at least 24 additional man-hours of inspection time per mine site.

Results and Discussion

Doris Mine

Both declines had been sealed at the surface and there were no residual features revealing their locations. The location of the declines was only inferred from the presence of talus in the vicinity of the portal location and a remnant of the revegetated old access road. The south decline entry has been backfilled and graded to approximately the original mesa slope configuration and vegetation has been reestablished in the area. The total disturbed area appeared to be about one acre.

All structures, trash and junk had been removed. There were no piles or accumulations of toxic or waste material. There were no apparent hazards that could effect public health or safety. All slopes appeared stable with respect to erosion and mass movement. A curving diversion ditch was excavated in the approximate location of the north, or original, decline. Several small rock and earth check dams have been constructed along the diversion channel to slow runoff and control erosion. The diversion channel was apparently constructed to divert sheet flow running down the mesa slope from the backfilled decline location. Vegetation has been established on the flatter slopes in the vicinity of the backfilled decline. Within 300 feet of the decline location there is an old waste rock pile that is roughly circular and approximately 200 feet across. The waste rock pile had been regraded to a shape that blends in well with the surrounding terrain. Vegetation has been established on the surface and it is almost indistinguishable from the surrounding natural mounds and ridges along the toe of the mesa slope. The nature of the pile is only apparent from the varieties of rock that were not otherwise present on the slope. There was moderate rill formation but the erosion appeared to have been grazing induced. The site was heavily grazed.

The site and surrounding area showed signs of severe grazing. Cattle were grazing on the property during the inspection. Vegetation cover ranged from 12 to 24 percent. Diversity was good. Seven native species of plants were identified on site (Tierney, 1995). Photos documenting vegetation and general condition of the site are in Appendix A. Additional photographs were provided in the prior reclamation request (Hecla, 1994). Vegetation Measurements are in Appendix B.

Hope Mine

The entire mine site is located on a natural hill upon which some waste rock was placed when it was removed from underground. The total disturbed area appeared to be about 4 acres. The waste rock pile had been regraded to a topography that blended in well with the surrounding terrain. The rock appears to be derived from the Todilto Limestone that was the ore body mined. The backfilled mine shaft was covered with a mound of earth approximately 30 feet long by 15 feet wide and 3 to 4 feet high. The mound was probably placed to accommodate subsidence from settlement of the shaft backfill. The mound was stable with respect to erosion. There are no apparent hazards that could effect public health or safety. All slopes appeared stable with respect to erosion and mass movement.

Vegetation cover ranged from 12 to 47 percent. Diversity was good. Ten native species of plants were identified on site (Tierney, 1995). Photos documenting vegetation and general condition of the site are in Appendix A. Additional photographs were provided in the prior reclamation request (Hecla, 1994). Vegetation measurements are in Appendix B.

Conclusions and Recommendations

The Mining and Minerals Division commends Hecla Mining Company for their efforts to comply with the New Mexico Mining Act. Further reclamation measures are not required at Hecla Mining Company's Doris and Hope Mines to satisfy the requirements of the New Mexico Mining Act. It is staff's conclusion that these sites meet the environmental conditions that allow for the reestablishment of a 'self-sustaining ecosystem' as defined in Rule 1 and put forth in Rule 5.7A of the New Mexico Mining Act. It is recommended, therefore, that the Doris and Hope Mine prior reclamation sites, operated by the Hecla Mining Company, be released from further requirements of the New Mexico Mining Act.

References

Bonham, C. D. 1989, *Measurement of Terrestrial Vegetation*, Wiley-Interscience.

Gamble, Gary 1995, Environmental Supervisor, Hecla Mining Company, Personal Communication.

Hecla 1994, Hecla Mining Company's Prior Reclamation Request for the Hope and Doris Mines.

Tierney, Dr. Robyn 1995, Reclamation Specialist, Mining and Minerals Division, Field Notes.

Appendix A

Photo Documentation

Appendix B

Vegetation Measurements

Table 1. Doris Mine Prior Reclamation Site Vegetation Measurements

Visual	Transect #1 Waste Rock Pile NW to SE	Transect #2 SE of Pile	Transect #3 South of Pile near North Adit	Transect #4 North of Transect #3
<i>Bouteloua gracilis</i>	BG	<i>Sporobolus cryptandrus</i>	BG	BG
<i>Gutierrezia sarothrae</i>	BG	BG	BG	BG
<i>Mentzelia pungens</i>	BG	Litter	BG	BG
<i>Phlox</i> sp.	BG	BG	<i>Atriplex canescens</i>	Litter
<i>Artemisia frigida</i>	Litter	<i>Sporobolus cryptandrus</i>	Litter	BG
<i>Agropyron smithii</i>	BG	Sper	BG	BG
<i>Atriplex canescens</i>	<i>Sporobolus cryptandrus</i>	BG	BG	BG
<i>Hilaria jamesii</i>	BG	BG	BG	<i>Atriplex canescens</i>
<i>Sporobolus cryptandrus</i>	BG	BG	BG	Litter
<i>Saracobatus vermiculatus</i>	BG	BG	Litter	BG
<i>Oryzopsis hymenoides</i>	BG	BG	<i>Sporobolus cryptandrus</i>	BG
	<i>Sporobolus cryptandrus</i>	BG	Litter	<i>Sphaeralcea coccinea</i>
	Litter	BG	Litter	<i>Sporobolus cryptandrus</i>

	BG	BG	Litter	BG
	BG	<i>Bouteloua gracilis</i>	<i>Bouteloua gracilis</i>	BG
	BG	BG	BG	BG

Average Perennial Cover = 29%

Litter Cover = 2%

Rock Cover = 34%

BG = Bare Ground

Table 2. Hopes Mine Prior Reclamation Site Vegetation Measurements

Visual	Transect #1 Across NE corner of slope	Transect #2 On top of Waste Rock Pile	Transect #3 On top of Pile West of Shaft	Transect #4
<i>Artemesia frigida</i>	BG	BG	Rock	Rock
<i>Sporobolus cryptandrus</i>	Rock	BG	<i>Sporobolus cryptandrus</i>	<i>Gutierrezia sarothrae</i>
<i>Hilaria jamesii</i>	Rock	BG	<i>Sporobolus cryptandrus</i>	BG
<i>Bouteloua gracilis</i>	BG	BG	<i>Sporobolus cryptandrus</i>	Litter
<i>Gutierrezia sarothrae</i>	BG	Rock	Rock	BG
<i>Astrogalus sp.</i>	BG	Rock	Rock	<i>Bouteloua gracilis</i>
<i>Heterotheca villosa</i>	Rock	Rock	BG	Unknown Composite
<i>Bouteloua gracilis</i>	<i>Sporobolus cryptandrus</i>	BG	<i>Bouteloua gracilis</i>	<i>Sporobolus cryptandrus</i>
<i>Sphaeralcea coccinea</i>	Rock	Rock	Rock	BG
<i>Lepidium sp.</i>	Rock	BG	Rock	<i>Astragalus</i>
<i>Juniperus monosperma</i>	Rock	BG	<i>Bouteloua gracilis</i>	<i>Sporobolus cryptandrus</i>
	BG	Rock	<i>Bouteloua gracilis</i>	BG
	Rock	<i>Sporobolus cryptandrus</i>	<i>Bouteloua gracilis</i>	BG
	<i>Bouteloua gracilis</i>	BG	Rock	<i>Sporobolus cryptandrus</i>

	<i>Rock</i>	<i>BG</i>	<i>Rock</i>	<i>Rock</i>
	<i>Sporobolus cryptandrous</i>	<i>Gutierrezia sarothrae</i>	<i>Bouteloua gracilis</i>	<i>BG</i>
	<i>Sporobolus cryptandrous</i>	<i>BG</i>	<i>Rock</i>	<i>Bouteloua gracilis</i>

Average Perennial Cover = 18%

Litter Cover = 15%



Doris Mine, Waste Pile from East, August 30, 1995



Doris Mine, Waste Pile from South, August 30, 1995



Doris Mine, Waste Pile from Northeast, August 30, 1995



Doris Mine, Top of Waste Pile, August 30, 1995



Hope Mine, Waste Pile from East, August 30, 1995



Hope Mine, From Top of Waste Pile Looking Southeast,
August 30, 1995



Hope Mine, From Top of Waste Pile Looking Northeast,
August 30, 1995

September 29, 1995

Mr. Gary R. Gamble
Environmental Supervisor
Hecla Mining Company
Box C-8000
Coeur d'Alene, Idaho 83814-1931

RE: Prior Reclamation Release Hope and Doris Mines, McKinley County, New Mexico

Dear Mr. Gamble:

The Mining and Minerals Division (MMD) has completed the inspection of reclamation measures at Hecla's Hope and Doris Mines. Based on findings in the enclosed inspection reports, reclamation measures at the Hope and Doris Mines satisfy the requirements of the New Mexico Mining Act (NMMA) and the substantive requirements for reclamation pursuant to the NMMA Rules. Therefore, Hecla Mining Company is hereby released from further requirements of the NMMA on the Hope and Doris Mines. The enclosed prior reclamation inspection report details the findings of the inspection but does not include the photos/slides contained in the MMD file copy.

MMD appreciates Hecla's efforts to comply with the NMMA and commends them for their safeguarding and reclamation efforts. If you have any questions please contact Holland Shepherd of the Mining Act Bureau, (505) 827-5971.

Sincerely,



Dr. Kathleen A. Garland, Director
Mining and Minerals Division

cc: Maxine Goad, New Mexico Environment Department
Isabella Marquez, Surface Owner

Enclosure

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



February 13, 1995

Mr. Gary Gamble
Environmental Supervisor
Hecla Mining Company
6500 Mineral Drive
Coeur d'Alene, Idaho 83814-8788

RE: Request for Advance Notice, Hope and Doris Mines, Hecla Mining Company, McKinley County

Dear Mr. Gamble:

The Bureau is in receipt of your letter, dated February 1, 1995, requesting a 30 day notice prior to inspecting the Hope or Doris Mines. The Bureau will make every attempt to notify you at least 30 days prior to an inspection of these two site. We anticipate inspections, for sites on our prior reclamation request list, will start early spring of 95.

Sincerely,

A handwritten signature in dark ink, appearing to read "Holland Shepherd".

Holland Shepherd
Bureau Chief
Mining Act Reclamation Bureau

VILLAGRA BUILDING - 406 Galisteo

Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830

Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

2040 South Pacheco

Office of the Secretary
827-5950

Administrative Services
827-5925

Energy Conservation & Management
827-5900

Mining and Minerals
827-5970

Oil Conservation
827-7131



Site Reclamation
Dickinson County

February 1, 1995

Mr. Holland Shepherd, Bureau Chief
Mine Act Reclamation Bureau
Mining and Minerals Division
State of New Mexico
Energy, Minerals and Natural Resources Department
2040 South Pacheco
Santa Fe, New Mexico 87505


RE: Inspections of Hope and Doris Mines

Dear Mr. Shepherd:

In the past, Hecla has had difficulty making contact with the land owner to arrange for site visits to the above referenced mine sites. As these sites are on your list to be inspected in 1995, could you let me know the dates of inspection for these two mines as far in advance as you can? At least 30 days would be much appreciated, even more time if possible.

Thank you for your consideration in this matter.

Very truly yours,


Gary R. Gamble
Environmental Supervisor

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



BRUCE KING
GOVERNOR

December 14, 1994

ANITA LOCKWOOD
CABINET SECRETARY

Mr. Gary Gamble
Hecla Mining Co.
Box-C8000
Coeur D'Alene, Idaho 83814

RE: Evaluation Guidelines for Prior Reclamation Sites.

Dear Mr. Gamble:

The Mining and Minerals Division (MMD) will be conducting inspections for the purposes of prior reclamation for the site(s) you have requested release. Based on Section 69-36-5 E. of the New Mexico Mining Act, the MMD has developed inventory of items to determine whether the completed reclamation satisfies the requirements of the New Mexico Mining Act and the substantive requirements for reclamation pursuant to the applicable regulatory standards.

This checklist is included for your use to determine if your site meets all of the ten criteria. Based on site-specific information, the MMD will be using this checklist to establish criterion based decisions to release the site from further responsibilities under the Act or not.

MMD will begin inspection of prior reclamation sites in early 1995 and will make a determination by September 30, 1995. If you have any questions regarding the checklist or questions regarding the inspection of your reclamation sites, please contact me or Joe DeAguero at 505\827-5970.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Shepherd".

Holland Shepherd
Bureau Chief
Mine Act Reclamation Bureau
Mining and Minerals Division

VILLAGRA BUILDING - 408 Galisteo

Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830

Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

2040 South Pacheco

Office of the Secretary
827-5950

Administrative Services
827-5925

Energy Conservation & Management
827-5900

Mining and Minerals
827-5970

LAND OFFICE BUILDING - 310 Old Santa Fe Trail

Oil Conservation Division
P.O. Box 2088 87504-2088
827-5800

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



November 2, 1994



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

Mr. Gary R. Gamble
Environmental Supervisor
Hecla Mining Company
6500 Mineral Drive
Box C-8000
Coeur d'Alene, Idaho 83814-1931

RE: Prior Reclamation request for the Hope Mine and Doris Mine, MK County.

Dear Mr. Gamble:

Thank you for your letter dated October 14, 1994 in which you provided the Mining and Minerals Division with the additional information requested regarding the prior reclamation requests for the Doris and Hope Mines. The letter adequately addresses the items that we requested additional information on.

An inspection of the two sites will be scheduled and conducted probably in the Spring of 1995, unless HECLA would like us to review the site earlier.

If you have any questions, please call me at 505-827-5970.

Sincerely,

A handwritten signature in cursive script, appearing to read "Holland Shepherd".

Holland Shepherd, Bureau Chief
Mining Act Reclamation Bureau
Mining and Minerals Division

VILLAGRA BUILDING - 408 San Mateo

Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830

Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

2040 South Pacheco

Office of the Secretary
827-5950

Administrative Services
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Energy Conservation & Management
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Mining and Minerals

LAND OFFICE BUILDING - 310 Old Santa Fe Trail

Oil Conservation Division
P.O. Box 2088 87504-2088
827-5800

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



November 2, 1994



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

Mr. Gary R. Gamble
Environmental Supervisor
Hecla Mining Company
6500 Mineral Drive
Box C-8000
Coeur d'Alene, Idaho 83814-1931

RE: Prior Reclamation request for the Hope Mine and Doris Mine, MK County.

Dear Mr. Gamble:

Thank you for your letter dated October 14, 1994 in which you provided the Mining and Minerals Division with the additional information requested regarding the prior reclamation requests for the Doris and Hope Mines. The letter adequately addresses the items that we requested additional information on.

An inspection of the two sites will be scheduled and conducted probably in the Spring of 1995, unless HECLA would like us to review the site earlier.

If you have any questions, please call me at 505-827-5970.

Sincerely,

A handwritten signature in cursive script, appearing to read "H. Shepherd".

Holland Shepherd, Bureau Chief
Mining Act Reclamation Bureau
Mining and Minerals Division

VILLAGRA BUILDING - 408 Galisteo

Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830

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827-7465

2040 South Pacheco

Office of the Secretary
827-5950

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Energy Conservation & Management
827-5900

Mining and Minerals
827-5900

LAND OFFICE BUILDING - 310 Old Santa Fe Trail

Oil Conservation Division
P.O. Box 2088 87504-2088
827-5800

heavy grazing, cows still present on site - most erosion from cattle impacts

17214
Doris

PRIOR RECLAMATION INSPECTION

DATE: 8/30 SFGP a.k.a. Isabella Mangrove minerals rights owner
 CONDITIONS: Sandstone bluffs on W. edge, ~ 3 acres Cerillos Land Co. surface rights owner
 9:30 A.M. SE did reclamation, mine was operated by Rauscher (1984)
Wasterock pile with some rill formation (E. side of pile facing road)
Dakota Sandstone - into Morrison Form. (see body for details)
 on top reclamation by SFGP
 SITE: Doris Mine dry mine
 OPERATOR: (Hisco worked w/ Rauscher)
 PRESENT: Gary Gamble, Allen Kubanz, R. Young

Visual / Belt	on wasterock pile NW Transect #1 to SE	off pile SE of pile Transect #2	S. of pile near Nade Transect #3	N. of Transect 3 Transect #4
Boqr	BC	Spcr	BC	BC
Spcr				
Gusa	BC	BC	BC	BC
Save				
Mepv	BC	LitHw	BC	BC
soil hole #1 wasterock pile. ~ 4" surface material	BC	BC	Atca	LitHw
on waste rock unknown (phlox?)	LitHw	Spcr	LitHw	BC
Anr				
Orky	BC	Spcr	BC	BC
Agsm	Spcr	BC	BC	BC
Atca				
	BC	BC	BC	Atca
soil hole #2 2" to shales/wasterocks?	BC	BC	BC	LitHw
Hija	BC	BC	LitHw	BC
	BC	BC	Spcr	BC
	Spcr	BC	LitHw	Sphaerobea
	LitHw	BC	LitHw	Spcr
	BC	BC	BC	BC
	BC	BC	LitHw	BC
	BC	Boqr	Boqr	BC
	BC	BC	BC.	BC

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 gave prints to Robert Young 9/22/95
 #18 to W. Waste rock pile (E. facing slope) w/ sandstones, Mepv, and Spcr
 #19 to N. from S. of " " "
 #20 NE of Wasterock pile look up at rock check dams
 #21 at transect #3, S. of pile

heavy grazing, cows still present on site - most erosion from cattle impacts

PRIOR RECLAMATION INSPECTION

DATE: 2/30 SFGP a.k.a. numerals right corner
 CONDITIONS: Sandstone bluffs on W. edge, ~ 3 acres Cerrillos Land Co.
9:30 A.M. SE did reclamation, mine was operated by Transcona (1924) Isabella Mays surface rights owner
Waste rock pile with some soil formation (E. side of pile facing road)
Dakota sandstone - into Morrison Form (see body of report)
reclamation by SFGP
 SITE: Doris Mine dry mine
 OPERATOR: (Hecla worked w/ Transcona)
 PRESENT: Gary Gamble, Allan Kubitz, R. Young

Visual / Belt	on waste rock pile NW Transect #1 to SE	off pile SE of pile Transect #2	S. of pile near North Transect #3	N. of transect 3 Transect #4
Boqv	BC	Spec	BG	BG
Gusa Save	BG	BG	BG	BG
Mepu	BG	Litter	BG	BC
soil hole #1 waste rock pile. ~ 4" surface material on waste rock unknown (phlox?)	BG	BG	Atca	Litter
Andr Orhy	BG	Spec	Litter	BG
Agsm	Spec	BG	BG	BG
Atca	BG	BG	BG	Atca
soil hole #2 2" to shales/waste rocks?	BG	BG	BG	Litter
Hija	BG	BG	Litter	BC
	BG	BG	Spec	BG
	Spec	BG	Litter	Sphacalca
	Litter	BG	Litter	Spec
	BG	BG	BG	BG
	BG	BG	Litter	BG
	BG	Boqv	Boqv	BG
	BG	BG	BG	BG

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- #18 to W. Waste rock pile (E. facing slope) w/ sandstones, Mepu, and Spec
- #19 to N. from S. of " " "
- #20 NE of waste rock pile look up at rock check dam
- #21 at transect #3, S. of pile

2/17

4/17

3/17

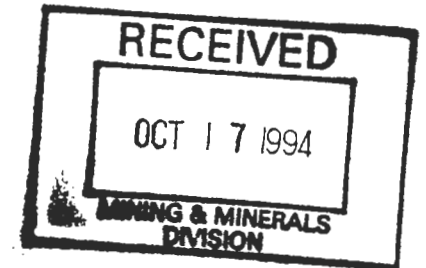
3/17

perennial cover = 18 %



October 14, 1994

Mr. Holland Shepherd
Chief, Mining Act Reclamation Bureau
Energy, Minerals, and Natural Resources Department
State of New Mexico
2040 South Pacheco
Santa Fe, New Mexico 87505



RE: Doris and Hope Mines

Dear Mr. Shepperd:

You will find within this letter the additional information requested by you in your August 29, 1994, letter to Hecla. I believe you will find that the contents of this letter adequately addresses the four requests.

Doris Mine

The Doris Mine is located in Section 21, T13N, R9W. It was a relatively small underground uranium mine that apparently had two decline entries advanced from the southeast-facing slope of the east edge of Mesa Montanosa in the southwest quarter of section 21. Figure 1 depicts the location of the mine within section 21. The location map scale is approximately 1:12,000 and shows the approximately limits of the declines and the waste rock pile. This mine site was reclaimed by Cerrillos Land Company (a subsidiary of Santa Fe Pacific Gold) three to four years ago. The reclamation effort included backfilling, regrading, revegetation, and sealing of openings. We do not currently have information regarding the seed mix that Cerrillos used to revegetate. Photographs 1 through 7 show the current physical condition of the Doris Mine.

One decline was located at the toe of the southeast-facing mesa slope, while the second was from a bench approximately one-third the height up the mesa slope and approximately 300 feet south of the other entry. Both of these declines have been sealed at the surface and there is no residual feature revealing their locations. The location of the second or southwesterly of the two declines (the West Doris Mine) is now only inferred from the absence of talis in the vicinity of the portal location and a remnant of the old access road grade which is revegetated. The south decline entry has been backfilled and graded to approximately the original mesa slope configuration and vegetation has largely reestablished itself in this area.

A curving diversion ditch was excavated in the approximate location of the north or original decline. Several small rock and earth check dams have been constructed along the diversion channel to slow runoff and retard erosion. The diversion channel was apparently constructed to intercept sheet flow running down the mesa slope and defect it away from the backfilled decline location. Vegetation has been established on the flatter slopes in the vicinity of this mine entry.

Within approximately 300 feet of the original or lower Doris Mine decline location there is what appears to be an old waste rock pile, roughly circular in shape and approximately 200 feet across. Vegetation has been established on the surface and it is for all intents and purposes indistinguishable from the surrounding natural mounds and ridges along the toe of the mesa slope. The nature of the pile is only apparent from the lithologic varieties of rock that were not otherwise present in the talis slope.

The owner of the surface is currently using the land to graze cattle and plans to continue this use in the foreseeable future. This indicates that the mine site has been returned to its pre-mining land use of cattle grazing. The site has been returned to approximately pre-mining conditions by the reclamation effort, including site vegetation. There are no indications of excessive erosion (erosion that exceeds the rates of adjacent undisturbed ground). It appears that the ecosystem of the surrounding area has successfully reestablished itself in the vicinity of the Doris Mine and has been able to sustain itself without further intervention since the site was reclaimed.

There are no apparent residual hazards at the site that affect public health and safety. The reclamation has taken care of the site hazards. Additionally, the site is on private ground currently used for cattle grazing and fenced from public access. Surface water, ground water, and air quality protection have been adequately addressed through the reclamation activities at the site as was noted in this summary.

Hope Mine

The Hope Mine is located in the SE 1/4 of the SW 1/4 of Section 19, T13N, R9W, approximately two miles west of the Doris Mine location and was also a small underground uranium mine. Figure 2 depicts the location of the mine within section 19. The location map scale is approximately 1:12,000 and shows the approximately limits of the reclaimed area. This mine site was also reclaimed by Cerrillos Land Company three to four years ago. The reclamation effort included backfilling, regrading, revegetation, and sealing of openings. We do not currently do not have any information regarding the seed mix that Cerrillos used to revegetate. Photographs 8 through 12 show the current physical condition of the Doris Mine.

The entire mine site consists now of a natural hill area upon which some waste rock was placed when it was removed from underground. Most of the mine area consists of a relatively flat and smoothly graded surface giving way on all sides to graded out slopes that

have been partially covered with rock and regraded. The rock cover appears to be derived from waste rock from the Todilto Limestone, which was probably the ore body mined. The Todilto is a hard limestone and appears to provide a good resistant erosion armor where it has been placed. The regraded land surface blends gradually into the surrounding natural terrain.

The backfilled mine shaft is covered with a mound of earth approximately 30 feet long by 15 feet wide and 3 to 4 feet high. This mound was probably emplaced to accommodate any subsidence or settlement in the shaft backfill. The pile of soil is stable and relatively unaffected by erosion.

The vegetation in the area is sustaining itself and the area is returning to the pre-mining ecosystem of scattered grass cover and pinion/juniper growth. There are no apparent residual hazards at the site that affect public health and safety. The reclamation has taken care of the site hazards. Additionally, the site is on private ground that is used for cattle grazing and fenced from public access. Surface water, ground water, and air quality protection have been adequately addressed through the reclamation activities at the site as was noted in this summary.

Very truly yours,



Gary R. Gamble
Environmental Supervisor

cc: Larry Drew

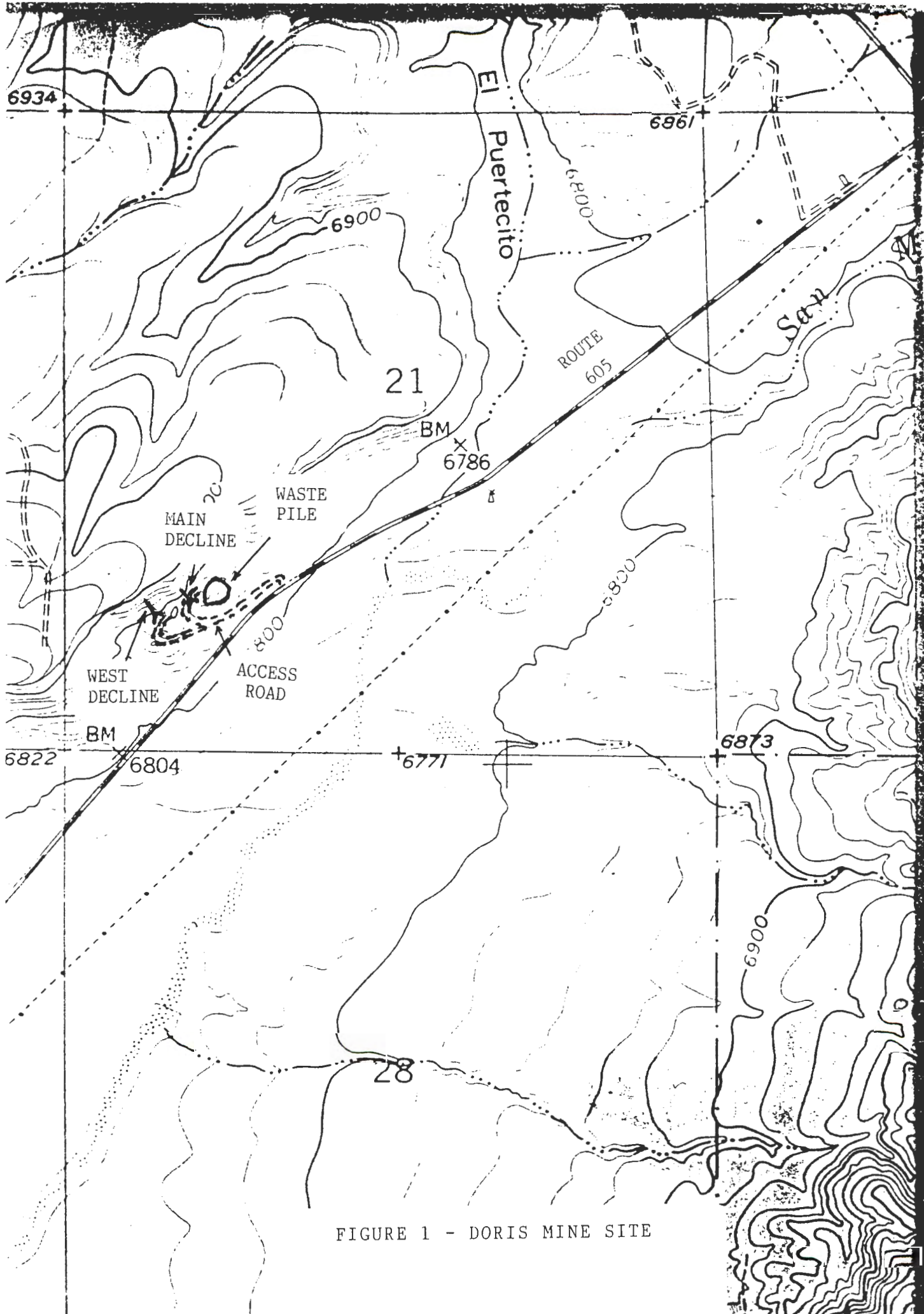


FIGURE 1 - DORIS MINE SITE

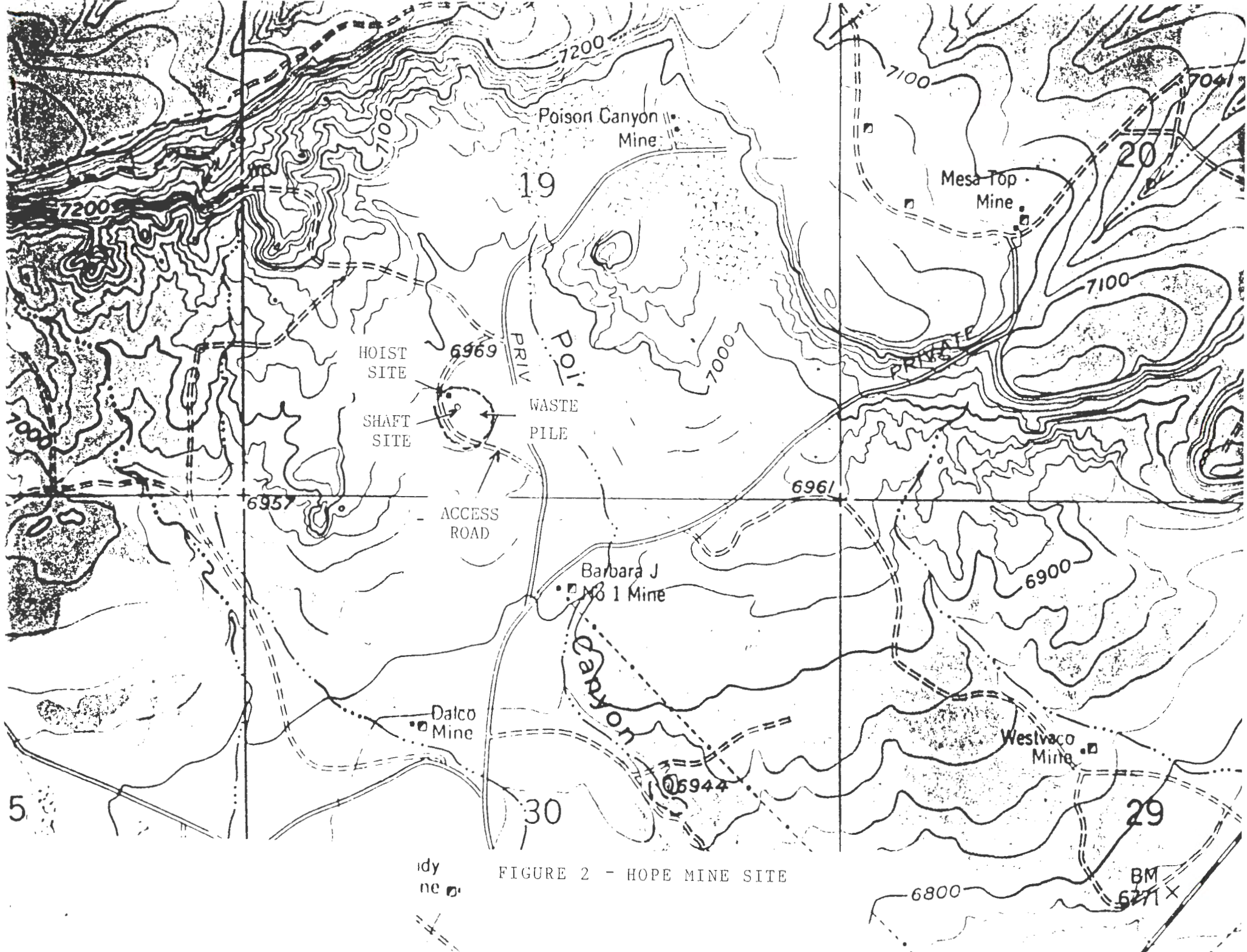


FIGURE 2 - HOPE MINE SITE



PHOTO 1 - View of Doris Mine from Route 605. West decline portal in right center, main decline left of center, and waste pile at right edge of view.

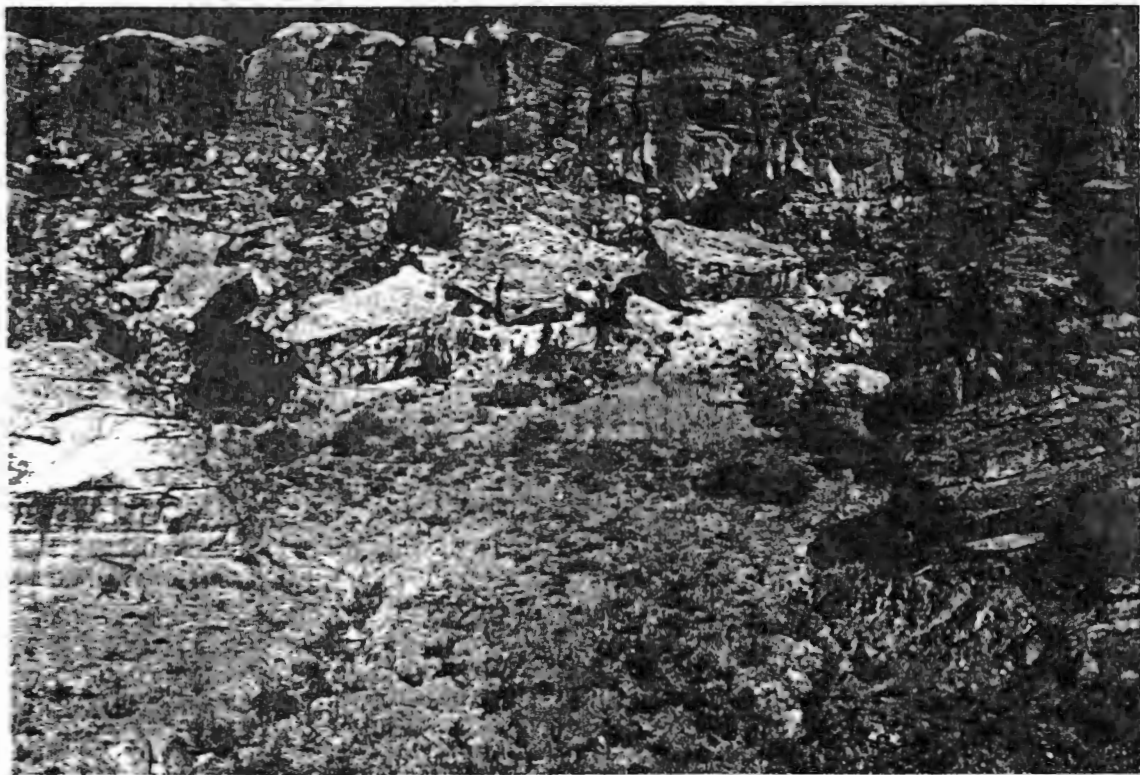


PHOTO 2 - Location of Doris main (east) decline portal, center of view.



PHOTO 3 - Location of Doris west decline portal, between bench in foreground and base of slope in background.



PHOTO 4 - Access road to Doris main decline, regraded to divert runoff from mesa slope.



PHOTO 5 - North end of main decline access road showing rock check dams along ditches each side of road.



PHOTO 6 - Waste pile at Doris Mine, from left to right across center of view.



PHOTO 7 - East slope of Doris waste pile, showing low earth berms along contours to control runoff.



PHOTO 8 - Hope Mine site (level surface and slope in background beyond trees), looking southwest.



PHOTO 9 - Surface of Hope Mine site looking northwest. Note lines of revegetated grasses in center, earth mound over shaft at left center of view.



PHOTO 10 - Southeast slope of Hope site, with grasses on slope in foreground merging into Pinon-Juniper on undisturbed ground.



PHOTO 11 - Mound over Hope shaft, right center, and hoist house location, left center.



PHOTO 12 - Hope shaft and hoist house location, looking west. Note concrete collar visible at lower left edge of backfill mound.



August 30, 1994

Mr. Holland Shepherd
Chief, Mining Act Reclamation Bureau
Energy, Minerals and Natural Resources Department
State of New Mexico
2040 S. Pacheco
Santa Fe, New Mexico 87505

RE: Hope, Doris, and Johnny M Mines

Dear Mr. Shepherd:


This letter is written to request an inspection for prior reclamation for the Hope and Doris Mines. You will find Hecla's check number 0110-026005 for \$500 enclosed to cover the inspection fees for the two mines.

We will forward the additional information requested in items 1 through 4 of your August 29, 1994, letter to you by October 15, 1994.

Regarding the Johnny M Mine, enclosed is a copy of the May 21, 1993, federal register notice of the NRC's findings of the reclaimed site and their decision to terminate the radioactive materials license.

If you need additional information, please give me a call at (208) 769-4154.

Very truly yours,


Gary R. Gamble
Environmental Supervisor

cc: Larry Drew
George Wilhelm

21, 1993. Copies of these petitions are available for inspection at that address.

Dated: May 14, 1993.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 93-12131 Filed 5-20-93; 8:45 am]

BILLING CODE 4610-43-P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Performance Review Board

AGENCY: National Endowment for the Humanities, NFAH.

ACTION: Notice.

SUMMARY: This notice announces a revision in the membership of the SES Executive Resources and Performance Review Board.

Effective May 14, 1993, Michael S. Shapiro, General Counsel, Office of the General Counsel/Congressional Liaison, has been designated to replace Anne D. Neal, General Counsel, Office of General Counsel/Congressional Liaison, as a Member of the SES Performance Review Board. Mr. Shapiro will serve the unexpired portion of Anne D. Neal's term through December 31, 1993.

FOR FURTHER INFORMATION CONTACT:

Timothy G. Connelly, Director of Personnel, National Endowment for the Humanities, 1100 Pennsylvania Avenue NW., Washington, D.C. 20506.

Donald Gibson,

Acting Chairperson.

[FR Doc. 93-12129 Filed 5-20-93; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Research, Evaluation, and Dissemination; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

Date and Time: June 7-8, 1993; 8:30 a.m. to 5 p.m.

Place: The River Inn, 924 Twenty Fifth Street, NW., Washington, DC.

Type of Meeting: Closed.

Contact Person: Ms. Barbara Lovitts, Division of Research, Evaluation and Dissemination, rm. 1227, National Science Foundation, 1800 G Street, NW., Washington, DC 20550, Telephone (202) 357-7071.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate research proposals submitted to the Research in

Teaching and Learning Program as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: May 18, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93-12132 Filed 5-20-93; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8914]

Hecla Mining Co.; Final Finding of No Significant Impact Regarding the Termination of a Source Material License for Hecla Mining Company, Johnny M Mine Site, McKinley County, New Mexico

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of final finding of no significant impact.

1. Proposed Action

The proposed administrative action is to terminate the source material license authorizing Hecla Mining Company (Hecla) to possess byproduct material at the Johnny M Mine, McKinley County, New Mexico.

2. Reasons for the Final Finding of No Significant Impact

The Johnny M Mine located near San Mateo, New Mexico, was operated by Ranchers Exploration and Development (predecessor to Hecla Mining Company) from early 1972 to late 1982. The mining operation included backfilling of mined-out areas with mill tailings. The tailings were returned to the site from the mill which processed the ore. An estimated 286,000 tons of tailings were injected into the mine. Disposal depths ranged from 1134 feet to 1148 feet and from 1162 feet to 1183 feet below the surface (using the shaft for datum) or about 1100 to 1300 feet underground, depending on the terrain.

Reclamation of the mine property began in early 1982. The mine shaft was sealed with a 4-foot thick water ring reinforced concrete plug set between the Dakota formation and the Westwater Canyon member of the Morrison formation. The portal was sealed with a 12-inch thick reinforced concrete plug,

and a 20-inch diameter capped steel pipe was set in the concrete.

The radiological reclamation plan for the site consisted of removing the remaining surface contamination until appropriate standards were met. The underground tailings were to be left undisturbed. The contaminated material was transported to and disposed of at the Quivira Mining Company's Pond 2 disposal area.

The NRC staff evaluated an Environmental Report, submitted by the licensee on February 26, 1993, addressing the effect of the proposed action on the environment.

In accordance with Title 10, Code of Federal Regulations, Part 51, Section 51.21, NRC prepared an environmental assessment addressing the proposed termination of the license. As a result of that assessment, the NRC has determined that an environmental impact statement is not required for this proposed licensing action. The following statements support the Finding of No Significant Impact and summarize the environmental assessment:

A. In accordance with 10 CFR 51.60(b)(3), the licensee submitted an Environmental Report documenting the potential environmental effects of the proposed change.

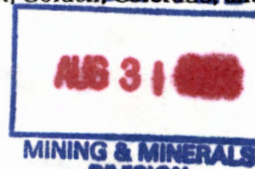
B. The closure of site meets all the criteria of 10 CFR Part 40, appendix A. It was determined that the ground water has not been significantly affected by the tailings. Surface reclamation has been verified by soil sampling. The deed to the land has been annotated to indicate that the tailings are present and that they are subject to an NRC general license under Title 10, Part 40, Code of Federal Regulations, prohibiting the disruption and disturbance of the tailings.

C. The site has been reclaimed to the requirements of 10 CFR Part 40, Paragraph 40.42, and is suitable for release for unrestricted use.

D. There is no need for long-term surveillance of the site due to the location of the tailings in the mine.

In accordance with 10 CFR 51.34(a), the Director, Uranium Recovery Field Office (URFO), made the determination to issue a final finding of no significant impact in the Federal Register. Source Material License SUA-1482 for the Johnny M Mine will be terminated upon publication in the Federal Register.

The environmental evaluations setting forth the basis for the finding are available for public inspection and copying at the Commission's Uranium Recovery Field Office at 730 Simms Street, Golden, Colorado, and at the



Commission's Public Document Room at 2120 L Street, NW., Washington, DC.

Dated at Denver, Colorado, this 13th day of May 1993.

For the Nuclear Regulatory Commission.

Ramon E. Hall,

Director, Uranium Recovery Field Office.

[FR Doc. 93-12090 Filed 5-20-93; 8:45 am]

BILLING CODE 7590-01-M

**Northeast Nuclear Energy Co.;
Environmental Assessment and
Finding of No Significant Impact**

[Docket No. 50-245]

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to an exemption from the requirements of 10 CFR Part 50, Appendix J, Paragraph III.C.1 issued to the Northeast Nuclear Energy Company (NNECO or the licensee) for Millstone Nuclear Power Station, Unit 1, located in New London County, Connecticut.

Environmental Assessment

Identification of the Proposed Action

The proposed action would correct an administrative error. The exemption, which was issued on June 5, 1991, granted exemptions for Penetrations X-25, X-26, X-202E and X-205 from the local leak test (Type C) requirements of 10 CFR part 50, appendix J, section III.C.1. The NRC staff concluded that the proposed alternative test procedures are the most conservative with the existing configuration and will test both valve seals to provide indication of the leak tightness of the containment boundaries. In a letter dated April 15, 1993, NNECO stated that one of the penetrations was not correctly identified, penetration X-202E should have been X-202D, and requested that the exemption be corrected.

The Need for the Proposed Action

The proposed exemption amendment is needed to correctly identify the subject penetration.

Environmental Impacts of the Proposed Action

The proposed exemption amendment corrects a misidentified penetration and, therefore, does not have any environmental impact. In the June 5, 1991, exemption, Penetration X-202E should have been X-202D. Penetration X-202E is for a vacuum breaker (torus to drywell) and does not require 10 CFR part 50, appendix J testing.

Thus, radiological releases will not differ from those determined previously and the proposed exemption -

amendment does not otherwise affect facility radiological effluents or occupational exposures. With regard to potential nonradiological impacts, the proposed exemption amendment does not affect plant nonradiological effluents and has no other environmental impact. Therefore, the Commission concludes there are no measurable radiological or nonradiological environmental impacts associated with the proposed exemption amendment.

Alternative to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed exemption amendment, any alternative to this amendment will have either no significant different environmental impact or greater environmental impact. The principal alternative would be to deny the exemption amendment requested. Such action would not enhance the protection of the environment and would result in the misidentification of the penetration.

Alternative Use of Resources

This action does not involve the use of resources not considered previously in the Final Environmental Statement for Millstone Nuclear Power Station, Unit 1.

Agencies and Persons Consulted

The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

Finding of No Significant Impact

Based on the foregoing environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption amendment.

For further details with respect to this proposed action, see the licensee's letter dated April 15, 1993, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room located at the Learning Resources Center, Thames Valley State Technical College, 574 New London Turnpike, Norwich, Connecticut 06360.

Dated at Rockville, Maryland, this 13th day of May 1993.

For the Nuclear Regulatory Commission.

John F. Stolz, Director,

Project Directorate I-4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 93-12092 Filed 5-20-93; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-269, 50-270, and 50-287; License Nos. DRP-38, DPR-47, and DPR-55; EA 92-211]

Duke Power Co., Oconee Nuclear Station; Order Imposing Civil Monetary Penalty

I

Duke Power Company (Licensee) is the holder of License Nos. DPR-38, DPR-47, and DPR-55 issued by the Nuclear Regulatory Commission (NRC or Commission) on February 6, 1973, October 6, 1973, and July 19, 1974, respectively. The licenses authorize the Licensee to operate the Oconee Nuclear Station in accordance with the conditions specified therein.

II

An inspection of the Licensee's activities was conducted on September 26–November 3, 1992. The results of this inspection indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated December 28, 1992. The Notice stated the nature of the violation, the provision of the NRC's requirements that the Licensee had violated, and the amount of the civil penalty proposed for the violation. The Licensee responded to the Notice by letter dated February 25, 1993. In its response, the Licensee requested that the civil penalty be mitigated because the violation was not safety significant and by itself does not warrant significant regulatory concern and that the particular example cited does not adequately consider all of the related information that accompanied the discovery and identification of the degraded Low Pressure Service Water System flow condition.

III

After consideration of the Licensee's response and the statements of fact, explanation, and argument for mitigation contained therein, the NRC staff has determined, as set forth in the Appendix to this Order, that the violation occurred as stated and that the penalty proposed for the violation

STATE OF NEW MEXICO


Check No: 0110-26005

Date	Invoice	Reference	Gross	Deduct.	Net Amt
Aug 29/94	0110-FEES	PJ3115 H.O.	500.00	0.00	500.00
Check date Aug 30, 1994			Total	500.00	500.00

HECLA MINING COMPANY

26005

PLEASE DETACH BEFORE DEPOSITING

 <p>HECLA MINING COMPANY 6500 MINERAL DRIVE COEUR d' ALENE, ID 83814-8788</p>	<p>92-6 1241</p>	<p>DATE</p> <p>Aug 30, 1994</p>	<p>CHECK NUMBER</p> <p>0110-026005</p>
			<p>PAY EXACTLY</p> <p>\$500.00</p>

HECLA MINING COMPANY

500 DOLLARS & 00 CENTS

PAY TO THE ORDER OF STATE OF NEW MEXICO
ENERGY MINERALS & NATURAL RES
2040 S PACHERO
SANTA FE
NM 87505

[Signature]
DF Wolfe

FIRST SECURITY BANK OF IDAHO
301 SHERMAN AVE.
COEUR d' ALENE, IDAHO 83814



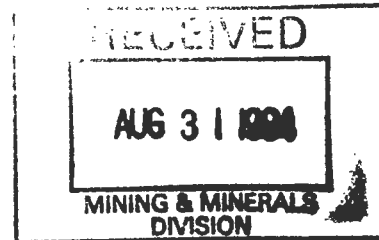


SANTA FE
PACIFIC
CORPORATION

BOX 27619 ALBUQUERQUE, NEW MEXICO 87125
6200 UPTOWN BLVD. N.E. SUITE 400
ALBUQUERQUE, NM 87110
TEL. 505-880-5300 FAX 505-880-5435

A Santa Fe Pacific Company

August 31, 1994
HAND DELIVERED



Mr. John Lingo, Director
Mining & Minerals Division
Energy, Minerals & Natural
Resources Department
2040 Pacheco Street
Santa Fe, New Mexico 87505

Re: Santa Fe Pacific Gold Corporation's Requests for Approval of
Prior Reclamation

Dear Mr. Lingo:

On behalf of Santa Fe Pacific Gold Corporation, this letter is being hand-delivered along with a series of one-page submittals and accompanying maps identifying certain properties which it believes were previously mined by other companies for recovery of uranium ores. These submissions are made in a spirit of cooperation even though Santa Fe Pacific Gold Corporation believes it is not required to make the submittals or undertake any other action under the New Mexico Mining Act, if that Act is deemed to apply at all to the uranium operations conducted at the site. Further, these submissions are made with the expectation that they may overlap with submissions by companies which conducted or owned the operations causing any disturbances.

For each site, Santa Fe Pacific Gold Corporation would like to request that the Director of the Mining and Minerals Division approve prior reclamation efforts pursuant to the New Mexico Mining Act if the Director believes that the Mining Act may be applicable to the operations previously conducted thereon. Pursuant to our attorney's recent discussions with you, these submissions are made with the express understanding that Santa Fe Pacific Gold Corporation fully preserves and does not waive any of its positions that it has no obligations whatsoever under the Mining Act with respect to these sites including, but not limited to, the following positions:

Mr. John Lingo, Director
August 31, 1994
Page 2

1. That any commodities or other materials produced from the properties or activities thereon constitute commodities, materials or activities regulated by the Nuclear Regulatory Commission such that the Mining Act does not apply;

2. That minerals were not produced from the properties in marketable quantities for a total of two years since January 1, 1970;

3. That as mere owner of mineral interests and lessor under instrument(s) pursuant to which operations owned and conducted by others occurred on the properties, Santa Fe Pacific Gold Corporation was not and is not an operator or owner of the operations with responsibilities, if there be any, under the Mining Act; and

4. That Santa Fe Pacific Gold Corporation has no obligation whatsoever to request approval of prior reclamation or carry out other responsibilities, if there be any, pertaining to the properties in relation to the Mining Act.

Santa Fe Pacific Gold Corporation makes these submissions with the further understanding that neither the submissions themselves, nor anything stated therein, nor the fact of making the submissions shall be advanced in any context, form or respect by the State of New Mexico or any agency or subdivision thereof as evidence or as an admission of any kind on any issue which may exist or hereafter arise in relation to Santa Fe Pacific Gold Corporation or its mineral properties in connection with the Mining Act. The same understanding applies in all respects to this letter.

With the exception of two mines, Santa Fe Pacific Gold Corporation believes these submissions cover all of its New Mexico properties that might conceivably be argued as properties on which "existing mining operations" are situated. The first such exception is the Northeast Church Rock Mine in Section 35, Township 17 North, Range 16 West. The Northeast Church Rock Mine was operated by United Nuclear Corporation under a lease with Santa Fe Pacific Minerals Corporation, now Santa Fe Pacific Gold Corporation. That lease recently terminated after the adoption of the New Mexico Mining Act.

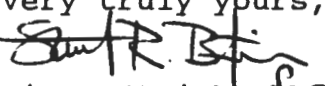
The second uranium mine for which submission is not made with this letter is the Old Church Rock Mine in Section 17, Township 16 North, Range 16 West. Santa Fe Pacific Gold Corporation believes that ongoing mining operations exist or are contemplated at that site by its most current lessee, Hydro Resources, Inc., and is informed that that company is already in contact with MMD

Mr. John Lingo, Director
August 31, 1994
Page 3

concerning any Mining Act responsibilities that may be applicable to the operations.

Santa Fe Pacific Gold Corporation's purpose for voluntarily submitting the enclosed requests for approval of prior reclamation, and for identifying in this letter the two leased uranium mine sites for which no submissions are made, is to cooperate fully and in a spirit of good faith so as to assist the Mining and Minerals Division in its tasks of identifying and narrowing down the potential Mining Act-regulated operations that may require a greater level of regulatory involvement.

If you have any questions concerning this letter, the enclosed submissions or the nonwaiver/preservation of rights language included, please do not hesitate to call.

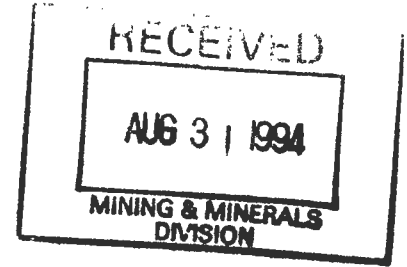
Very truly yours,

Tim Leftwich for

Request For Approval Of Prior Reclamation

Name Of Mine: Doris Mine

Topographic Location Of Mine: Section 21, T.13N., R.9W.

Operator Name: Ranchers Exploration



Description Of Site Condition: Ranchers operated a mine on this section under a lease from Santa Fe Pacific Minerals Corporation. Open mine features were backfilled and the site reclaimed in 1987. Areas of surface disturbance were revegetated with native species and topography returned to natural contour to the extent possible.

Date Of Request: August 31, 1994

Non-waiver/Preservation Of Rights: This request for approval of prior reclamation is made with the express understanding that Santa Fe Pacific Gold Corporation fully preserves and does not waive any of its positions that it has no obligations whatsoever under the Mining Act with respect to these sites including, but not limited to, the following positions:

1. That any commodities or other materials produced from the properties or activities thereon constitute commodities, materials or activities regulated by the Nuclear Regulatory Commission such that the Mining Act does not apply;
2. That minerals were not produced from the properties in marketable quantities for a total of two years since January 1, 1970;
3. That as mere owner of mineral interests and lessor under instrument(s) pursuant to which operations owned and conducted by others occurred on the properties, Santa Fe Pacific Gold Corporation was not and is not an operator or owner of the operations with responsibilities, if there be any, under the Mining Act; and
4. That Santa Fe Pacific Gold Corporation has no obligation whatsoever to request approval of prior reclamation or carry out other responsibilities, if there be any, pertaining to the properties in relation to the Mining Act.

Santa Fe Pacific Gold Corporation makes this submission with the further understanding that neither the submission itself, nor anything stated therein, nor the fact of making the submission shall be advanced in any context, form or respect by the State of New Mexico or any agency or subdivision thereof as evidence or as an admission of any kind on any issue which may exist or hereafter arise in relation to Santa Fe Pacific Gold Corporation or its mineral properties in connection with the Mining Act.

