



New Mexico Energy, Minerals and Natural Resources Department

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Mining and Minerals



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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 5, 2009

Mr. John DeJoia, Manager
Roca Honda Resources, LLC
4001 Office Court, Suite 102
P.O. Box 130
Santa Fe, New Mexico 87507

Re: Sampling and Analysis Plan Determined Administratively Incomplete, Roca Honda Resources, LLC, Permit No. MK025RN

Dear Mr. DeJoia:

On November 12, 2008 Roca Honda Resources, LLC (RHR) submitted a Sampling and Analysis Plan (SAP) to the New Mexico Mining and Minerals Division (MMD) in support of a New Mine Permit Application (MK025RN) to be submitted to MMD for its proposed Roca Honda uranium mine in McKinley County, New Mexico. The SAP has been reviewed by MMD pursuant to 19.10.6.602.C, 19.10.602.D.1-6; 9, and 11, 19.10.6.602.D (12), 19.10.6.602.D (13), and 19.10.6, 605.A NMAC.

MMD has determined the SAP to be administratively incomplete. This letter summarizes items determined to be either deficient or missing from the SAP submittal.

General Comments:

In preparing the SAP, RHR has presented the information such that the SAP focuses entirely upon addressing data gaps identified through RHR's initial review of existing historical environmental data from the 1970s and 1980s for the proposed Roca Honda Permit Boundary Area. While MMD finds RHR's identification of this information (data gaps) useful in technically evaluating the SAP, the information compiled and submitted by RHR addresses only the data gaps identified for each topic or environmental medium (e.g., meteorology, vegetation, topsoil, wildlife, etc.). The SAP is generally an incomplete description of sampling and analysis procedures planned for establishing

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baseline data described within 19.10.6.602.D (13) NMAC. **In addition to addressing any data gaps identified through research of historical environmental data, RHR must also completely describe its proposed baseline data sampling and analysis methods and procedures for non-data gap categories, by outlining each topic or environmental medium pursuant to 19.10.6.602.D (12) (a) NMAC.**

Specific Comments:

RHR shall more thoroughly describe sampling and analysis procedures for the collection of baseline data listed in 19.10.6.602.D.(13) NMAC in regard to the proposed permit area, as well as any areas potentially affected by the proposed permit area. Specific descriptions and general discussion covering the following baseline data relevant to the permitted and surrounding or potentially affected areas, are lacking in the SAP as required in 19.10.6.602.D.(12) and (13) NMAC:

1. Section 19.10.6.602.D.(13)(f) Please provide a description of the ore body in the proposed permit area, including geologic plans and cross-sections depicting the nature and depth of overburden, mineralized zone or ore body, aquifers and springs.
2. Section 19.10.6.602.D.(13)(h) Please provide a description and delineation on topographic maps of any prior mining operations which may have affected the permit area including, if known, the type of mining and processing method and a list of any processing chemicals or reagents used.
3. Section 19.10.6.602.D.(13)(i) Please provide a list and accompanying map indicating all sites on, or eligible for listing on, either the National Register of Historic Places and/or the State Register of Cultural Properties and known cemeteries and human burials within the proposed permit area. Included with this list and map shall be a description of the effects the proposed mining operations may have on these sites and any proposed mitigation measures.
4. Section 19.10.6.602.D.(13)(j) Please provide a description of the present and historic land use of the permit area, the general patterns of land use in the surrounding areas, and a narrative of land capability and productivity based upon U.S. Soil Conservation Service land use capability classes or a similar classification.
5. Section 19.10.6.602.D.(12) Sampling and Analysis Plan. Several required components of the SAP were not found in the submittal. Please submit additional information to address these deficiencies. The deficiencies are given in Table 1:

Table 1. Deficiencies Identified within RHR's November 2008 Sampling and Analysis Plan submittal.

19.10.6.602.D.13	<u>Sampling Objectives</u>	<u>A list of Data to Be Collected</u>	<u>Methods of Collection</u>	<u>Parameters to Be Analyzed</u>	<u>Maps Stating Proposed Sampling</u>	<u>Sampling Frequency</u>	<u>Laboratory and Field Quality Assurance Plans</u>	<u>A Brief Discussion Supporting the Proposals</u>
Meteorological Monitoring-							NO	NO
Air Particulates					NO	NO		NO
Radon					NO	NO	NO	NO
Gamma					NO	NO	NO	NO
Topography					NO	NO	NO	NO
Vegetation					NO			
Topsoil							NO	NO
Wildlife					NO			
Geology		NO	NO	NO	NO	NO	NO	NO
Surface Water							NO	NO
Ground Water							NO	NO
Radiological Survey								NO
National Register of Historic Places, Sites and/or the State Register of Cultural Properties Sites and those Sites Eligible for Listing.	NO	NO	NO	NO	NO	NO	NO	NO
Present and Historic Land Use of the Permit Areas.	NO	NO	NO	NO	NO	NO	NO	NO

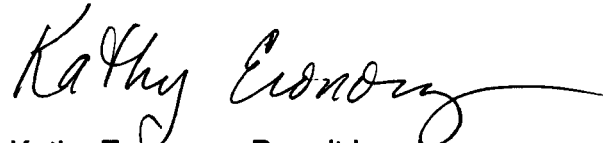
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RHR may resubmit any required information as amendments to each section of the six copies submitted November 12, 2008 and currently under MMD review. If you have any questions, please contact me at 505-476-3434.

Sincerely,

A handwritten signature in black ink that reads "Kathy Economy". The signature is written in a cursive style with a long, sweeping underline.

Kathy Economy, Permit Lead
Mining Act Reclamation Program (MARP)
Mining and Minerals Division

cc: Charles Thomas, Chief, Mine Reclamation Bureau
Holland Shepherd, Program Manager, MARP
James Hollen, MARP
Mine File (MK025RN)