



NEW MEXICO
ENVIRONMENT DEPARTMENT



Ground Water Quality Bureau

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William C. Olson, Bureau Chief

RON CURRY
Secretary

MEMORANDUM

DATE: February 16, 2010
TO: Holland Shepherd, Program Manager, Mining Act Reclamation Program
FROM: Kurt Vollbrecht, Mining Act Team Leader, NMED Ground Water Quality Bureau
Neal Schaeffer, NMED Surface Water Quality Bureau
RE: **Comments on Roca Honda Resources, LLC, New Mine Permit Application, Permit No. MK025RN**

KV

The New Mexico Environment Department (NMED) received correspondence from the Mining and Minerals Division (MMD) on December 18, 2009 requesting NMED review and provide comments on the Roca Honda Resources (RHR) New Mine Permit Application (Application) referenced above. MMD requested comments be submitted no later than February 16, 2010, within 60 days of receipt. The NMED Surface Water Quality Bureau (SWQB) and Ground Water Quality Bureau (GWQB) have submitted comments in this memorandum jointly. Comments from the Air Quality Bureau are provided by a separate memorandum.

NMED SWQB Comments:

- The applicant should consult with the U.S. Army Corps of Engineers to verify whether any of the proposed activities will require Clean Water Act §404 permitting.
- Section 3.3.6 indicates that some detention basins may be left in place if the land owners so desire. It should be noted that water in any permanent ponds left in place must meet applicable water quality standards.

NMED GWQB Comments:

The NMED GWQB is currently reviewing a Discharge Permit Application for the proposed mine site. As part of the technical review of the application for Ground Water Discharge Permit DP-1717 the NMED GWQB will be reviewing the proposed Mine Operations Plan and Reclamation Plan relative to the requirements of the Water Quality Control Commission Regulations, 20.6.2 NMAC. These documents, included with the Application have also been submitted to NMED in partial response to a

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Request for Additional Information for DP-1717 as they are integral to the evaluation pursuant to the WQCC Regulations. The NMED GWQB will continue to review and provide comments as necessary to RHR on the Discharge Permit Application. MMD will be copied on detailed correspondence relative to the Mine Operations Plan and Reclamation Plan and MMD Permit No. MK025RN.

If you have any questions, please contact Kurt Vollbrecht at 827-0195.

cc: William C. Olson, Chief, GWQB
Glenn Saums, Acting Chief, SWQB
Mary Ann Menetrey, NMED MECS
Charles Thomas, Chief, Mine Reclamation Bureau



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RON CURRY
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JON GOLDSTEIN
Deputy Secretary

MEMORANDUM

DATE: February 16, 2010

TO: Kurt Vollbrecht,
Mining Act Team Leader
Ground Water Quality Bureau

THROUGH: Mary Uhl,
Bureau Chief, Air Quality Bureau

FROM: Sufi Mustafa,
Manager Air Dispersion Modeling Section

RE: Roca Honda Resources, New Mine Permit Application, Roca Honda Mine, Permit No. MK025RN
The New Mexico Air Quality Bureau (AQB) has completed its review of the above mentioned mining project. Pursuant to 19 NMAC 10.2, Subpart 302.G of the New Mexico Mining Act Rules, the AQB has the following comments:

Air Quality Permitting History

The AQB has no previous record of this operation.

Air Quality Requirements

The New Mexico Mining Act of 1993 states that "Nothing in the New Mexico Mining Act shall supersede current or future requirements and standards of any other applicable federal or state law." Thus, the applicant is expected to comply with all requirements of federal and state laws pertaining to air quality. Current requirements which may be applicable in this mining project include, but are not limited to the following:

20 NMAC 2.72 states:

Air Quality permits must be obtained from the Department by any person constructing a stationary source which has a potential emission rate greater than 10 pounds per hour or 25 tons per year of any regulated air contaminant for which there is a National or New Mexico Ambient Air Quality Standard. If the specified threshold in this subsection is exceeded for any one regulated air contaminant, all regulated air contaminants with National or New Mexico Ambient Air Quality Standards emitted are subject to permit review. Air Quality permits must be obtained prior to startup of the permitted operation or activity.

Any person constructing or modifying any source or installing any equipment that is subject to 20 NMAC 2.77, New Source Performance Standards, must comply with those applicable federal New Source Performance Standards (NSPS).

Also, 20 NMAC 2.73 states:

Any owner or operator intending to construct a new stationary source which has a potential emission rate greater than 10 tons of any regulated air contaminant per year or 1 ton per year of lead shall file a notice of intent with the division.

Details

Applicant proposes to disturb up to 183 acres of surface lands to develop underground uranium mine. Applicant has been monitoring air quality of this area since 2008. This data will be useful to provide baseline air quality information. This mine may need an air quality permit if they are going to process the mined material.

NO_x and CO emissions are expected to be generated by the engines that drive the equipment and dust (TSP, PM₁₀ and PM_{2.5}) from road traffic. These procedures could produce more than 10 pounds per hour or 25 tons per year of any single regulated air pollutant.

The above is not intended to be an exhaustive list of all requirements that could apply. The applicant should be aware that this determination does not supersede the requirements of any current federal or state air quality requirement.

Fugitive Dust

Fugitive dust is a common problem at mining sites. The Air Quality Bureau does not regulate fugitive dust, however we do recommend controls to minimize emissions of particulate matter from fugitive dust sources. The following control strategies can be included in a comprehensive facility dust control plan (from EPA's *Compilation of Air Pollutant Emission Factors, AP-42*):

Unpaved haul roads and traffic areas: paving of permanent and semi-permanent roads, application of surfactant, watering and traffic controls, such as speed limits and traffic volume restrictions.

Paved roads: covering of loads in trucks to eliminate truck spillage, paving of access areas to sites, vacuum sweeping, water flushing, and broom sweeping and flushing.

Material handling: wind speed reduction and wet suppression, including watering and application of surfactants (wet suppression should not confound track out problems).

Bulldozing: wet suppression of materials to “optimum moisture” for compaction.

Scraping: wet suppression of scraper travel routes.

Storage piles: enclosure or covering of piles, application of surfactants.

Miscellaneous fugitive dust sources: watering, application of surfactants or reduction of surface wind speed with windbreaks or source enclosures.

The Air Quality Bureau or the US EPA may implement requirements, regulations and standards for the control of fugitive dust sources in the future. This written determination does not supercede the applicability of any forthcoming state or federal regulations.

If you have any questions, please contact me at (505) 476-4318.