

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd E. Leahy, JD, PhD
Deputy Secretary

Jerry Schoeppner, PG, Director
Mining and Minerals Division



Via ELECTRONIC MAIL

December 2, 2020

Mr. Eric Jantz, Staff Attorney
Gail Evans, Staff Attorney
Maslyn Locke, Staff Attorney
New Mexico Environmental Law Center
1405 Luisa St., Suite 5
Santa Fe, NM 87505

**RE: Response to MASE and Amigos Bravos Comments, Application for
Modification 20-1, Mt. Taylor Mine, Permit No. CI002RE**

Dear Mr. Jantz, Ms. Evans, and Ms. Locke,

This letter responds to your October 21, 2020 letter regarding the proposed Modification 20-1 to the Mt. Taylor Mine Permit No. CI002RE. The Mining and Minerals Division (“MMD”) appreciates your comments and will consider them in the permitting process for Modification 20-1.

As you may be aware, MMD provided our comments along with the comments of other state agencies to Rio Grande Resources Corporation (“RGR”), the operator of the Mt. Taylor Mine, on the proposed update to the Reclamation Schedule, the proposed expansion of the South Waste Rock Pile and Disposal Cell, and the proposed changes to the Post-Mining Land-Use requested in the application to modify the Mt. Taylor Mine permit. MMD comments also include concerns with the 2016 Mt. Taylor Mine Reclamation Cost Estimate that was approved by MMD under Revision 13-2. A copy of the MMD and state agency comment letter, dated October 8, 2020, may be viewed at:

<http://www.emnrd.state.nm.us/MMD/MARP/CI002REMod20-1.html>

RGR is scheduled to respond to these comments within 60-days of the date of the October 8th MMD letter. Several of the technical comments raised in your letter may be addressed in the RGR responses, therefore, we will respond to both the legal and technical comments in your letter at a future date after we receive the RGR responses.

Please contact me at (505) 467-9671 or at gerard.schoeppner@state.nm.us, if you have any questions.

RE: Response to MASE and Amigos Bravos Comments, Application for Modification 20-1,
Mt. Taylor Mine, Permit No. CI002RE
December 2, 2020
Page 2

Sincerely,



Jerry Schoeppner, Director
Mining and Mineral Division

cc: Kurt Vollbrecht, Manager, Mining Environmental Compliance Section
("MECS"), New Mexico Environment Department ("NMED"), Ground Water
Quality Bureau ("GWQB")
Dana David, Assistant General Counsel, EMNRD
Holland Shepherd, Manager, Mining Act Reclamation Program ("MARF")
David Otori, Permit Lead, MARF
Anne Maurer, Mining Act Team Leader, MECS, NMED GWQB
Mine File (CI002RE)