

**MINUTES OF THE
NEW MEXICO MINING COMMISSION MEETING
April 24, 1996**

The New Mexico Mining Commission meeting was convened at 9:00 a.m., April 24, 1996, in the Tyrone Community Center, Tyrone, NM. The following members were present:

Art Montana Chairman and Public Representative
Ed Kelley Environment Department
Ed Moreno State Land Office
H.M. Conger Public Representative
Jim Bailey Department of Game and Fish
Jeanie Cragin ALTERNATE
Terry Fletcher ALTERNATE
Bob McCaslin Ex-Officio, NM Agricultural Experiment Station

The following members were absent:

Alex Gonzales Ex-Officio, NM Soil and Water Conservation Commission
Charles Chapin NM Bureau of Mines and Mineral Resources
Bob Rogers State Engineer's Office

1. Roll Call

Each Commissioner announced his name for roll call.

2. Approval of Agenda

The date for the next meeting was set for July 16, 1996 at 9:10 in the State Capitol Building in Santa Fe.

Ms. Cragin moved to approve the agenda. Second by Mr. Conger. Motion passed unanimously.

3. Review of the Minutes of the April 3, 1996 Meeting

Dr. McCaslin moved to approve the minutes, with second by Mr. Conger. Motion passed unanimously.

**4. Review and possible action on an Order of the Mining Commission on Copar
Pumice Appeal 95-7, hearing held
2/27/96**

After considerable discussion by the Commission, Chairman Montana moved to strike finding #10 in the proposed Order. Mr. Conger amended Chairman Montana's motion by moving to strike references to sand and gravel in conclusion #3 in addition to striking finding #10, and to direct MMD to propose a definition of sand and gravel. Second by Ms. Cragin. Motion as amended passed unanimously.

Chairman Montana moved to strike reference to "size and texture" in finding #11, and replace with the specific size mentioned in the hearing testimony. Ms. Cragin seconded the motion. Motion passed unanimously.

Dr. Bailey confirmed that the reference to "25%" in conclusion #3 did not set a standard.

Ms. Cragin moved to approve the draft Order as modified, with second by Dr. Bailey. Motion passed by 4:1 with Mr. Conger opposed.

5. Review and possible action on an Order of the Mining Commission on United Nuclear Corp. Appeals 95-1, 95-2, and 95-3, hearing held 4/3/96

Dal Moellenberg discussed United Nuclear objections sent but not yet received by the Commission on the draft Order prepared by MMD. Dr. Bailey moved to table discussion and approval of orders, and to direct MMD to work with United Nuclear and to submit a revised draft Order for consideration at the July 16 meeting of the Mining Commission. Mr. Conger seconded the motion; motion passed unanimously.

6. Other business

No other business was raised.

7. Tour of the Tyrone and Lordsburg mines

Joe Brunner gave an overview of the Tyrone mine in preparation for the tour. John White gave an overview of the Lordsburg mine. At 11:00 a.m., the Mining Commission and meeting attendees departed for tours of the two mines. The tour ended in Lordsburg at approximately 4:30 p.m.

Approved: Minutes by:

Art Montana, Chairman
Douglas Bland, Clerk