

**MINUTES OF THE
NEW MEXICO MINING COMMISSION SPECIAL MEETING
OCTOBER 3, 2001**

**The New Mexico Mining Commission meeting was convened at 9:00 A.M., October 3, 2001
in Porter Hall (Oil Conservation Division conference room)
1st floor of the Energy, Minerals and Natural Resources Department building located at
1220 South Saint Francis Drive in Santa Fe**

The following members were present:

Terry Fletcher	Chairman, Public Representative
Tod Stevenson	Department of Game and Fish
Bob Rogers	State Engineer's Office
Larry Kehoe	State Land Office
John Bartlit	Public Representative
Daniel Rubin	Commission Attorney

The following members were absent:

Peter Maggiore	Vice Chairman, Environment Department
Peter Scholle	NM Bureau of Mines and Mineral Resources
Pat Freeman	Alternate, Public Representative
Dinus Briggs	NMSU Agricultural Experiment Station
Bruce Thomson	Alternate, Public Representative
J. R. Roybal	NM Soil and Water Conservation Commission

Announcements: Chairman Fletcher declares a quorum for purposes of conducting the meeting.

The Meeting starts at 8:57 A.M.

1. Roll call

The Commissioners announce their own names.

2. Approval of agenda

Mr. Rogers moves to approve the agenda, with second by Mr. Stevenson. Motion passes unanimously on a voice vote.

3. Adoption of the minutes of the May 10, 2001 Meeting and Hearing

Mr. Rogers moves to adopt the minutes, with second by Mr. Stevenson. The motion passes unanimously on a voice vote.

4. Discussion and possible setting of a hearing date for the August 6, 2001 Department of Game and Fish Petition for Rulemaking (01-03) relating to amending Rule 205 of the Mining Act Rules

Chairman Fletcher states that the Commission Clerk's polling indicated a December 14, 2001 hearing date would be acceptable to most of the Commissioners and he asks for a motion. Motion by Mr. Rogers to set the hearing date for December 14, 2001; second by Mr. Kehoe. The motion passes unanimously on a voice vote.

5. Discussion and possible setting of a hearing date on the September 21, 2001 Joint Petition for Rulemaking (01-04) submitted by the NM Environment Department, Mining and Minerals Division, Phelps Dodge Tyrone, Inc., Chino Mines Company, and Cobre Mining Company relating to extending the current deadline for approval of closeout plans for certain existing mining operations from December 31, 2001 until July 1, 2002

Subsequent to a discussion primarily between Director Bland and Mr. Bartlit regarding public involvement and legal timelines related to Petition 01-04, there is a motion by Mr. Kehoe to set the meeting date for December 14, 2001, with second by Mr. Rogers. The motion passes unanimously on a voice vote.

6. Other business

Mr. Rubin updates the Commission on the United Nuclear Corporation (UNC) case.

7. Adjourn

Motion to adjourn by Mr. Rogers, with second by Mr. Bartlit. Motion passes by unanimous vote. Meeting adjourns at 9:21 A.M.

Approved:

Minutes by:

Terry Fletcher, Chairman

Date

John J. Pfeil, Commission Clerk