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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Ground Water Quality Bureau

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James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

MEMORANDUM

Date: July 7, 2020

To: Holland Shepherd, Program Manager, Mining Act Reclamation Program

Through: Anne Maurer, Mining Environmental Compliance Section

From: Amber Rheubottom, Mining Environmental Compliance Section
Alan Klatt, Surface Water Quality Bureau
Rhett Zyla, Air Quality Bureau

Subject: **NMED Comments, Old Stope Leach Mine Interim Closure/Closeout Plan, Response to Comments, Rio Algom Mining, LLC, McKinley County, New Mexico Mining Act Permit No. MK009RE**

The New Mexico Environment Department (NMED) received correspondence from the Mining and Minerals Division (MMD) on June 9, 2020 requesting NMED comment on the adequacy of Rio Algom Mining, LLC's (RAML) response to agency comments. This has permit tracking No. MK009RE. NMED has the following comments.

Background

RAML submitted a response to agency comments to MMD that addresses questions or concerns related to RAML's interim Closure/Closeout Plan (CCP). RAML also is seeking NMED and MMD's acceptance of RAML's responses and proposed modifications to the interim CCP prior to the production and submission of the revised interim CCP. RAML has committed to submitting the revised interim CCP no later than 45 days following acceptance of the response to comments.

Air Quality Bureau

The Air Quality Bureau has no additional comments.

Surface Water Quality Bureau

The Surface Water Quality Bureau comments are attached.

Mining Environmental Compliance Section (MECS)

The MECS has reviewed RAML's May 18, 2020 response to the MMD April 7, 2020 letter containing comments on the RAML interim CCP. MECS also reviewed RAML's December 13, 2019 response to MECS's separate November 15, 2019 letter which also contained comments on the RAML interim CCP. MECS responded to RAML's December 13, 2019 letter with a letter dated June 11, 2020. MECS finds both of RAML's responses adequate and will expect them to be incorporated into a revised interim CCP and updated cost estimate.

NMED Summary Comment

NMED finds that the response to agency comments is adequate and looks forward to reviewing the revised interim CCP.

If you have any questions, please contact Kurt Vollbrecht at (505) 827-1095.

cc: David Ennis, Lead Staff, EMNRD-MMD
Kurt Vollbrecht, Program Manager, MECS
Shelly Lemon, Bureau Chief, NMED-SWQB
Elizabeth Bisbey-Kuehn, Bureau Chief, NMED-AQB



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James C. Kenney
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MEMORANDUM

DATE: July 6, 2020

TO: Kurt Vollbrecht, Program Manager, Mining Environmental Compliance Section

FROM: Alan Klatt, Surface Water Quality Bureau, Watershed Protection Section

SUBJECT: **Request for Review and Comment, Old Stope Leach Mine Interim Closure/Closeout Plan, Response to Comments, Rio Algom Mining, LLC, McKinley County, New Mexico Mining Act Permit No. MK009RE**

The Surface Water Quality Bureau (SWQB) of the New Mexico Environment Department (NMED) has reviewed the response from Rio Algom Mining, LLC (RAML) with regards to SWQB's comments on the *Interim Closure/Closeout Plan* dated November 4, 2019. Pursuant to §19.10.5.506 NMAC, the Mining and Minerals Division (MMD) is requesting NMED comments on the adequacy of the response.

The response explains that RAML has included surety funding to study areas requiring reclamation and that remedial designs will reclaim disturbed watersheds to a productive and stable condition. The response also explains that a final status survey plan (for contaminants) is still being developed. SWQB considers the response to be adequate for the *Interim Closure/Closeout Plan* (CCP) provided that the designs and survey plans further address SWQB comments from November 4, 2019 and are included in the Final CCP.

For questions related to these or previous comments, please contact Alan Klatt, SWQB, at 505-827-0388.