

## **Section 27 Mine Permit Application**

### **Rule 19.10.5.502 D(1) – Permit Applicant**

*The name of the applicant to whom the permit will be issued.*

United Nuclear Corporation

### **Rule 19.10.5.502 D(2) – Surface and Mineral Estate Ownership**

*A map(s) and list, including names and addresses, of all owners of surface and mineral estates within the proposed permit area, as shown by the most recent county assessor's property tax schedule.*

The owner of the surface estate is as follows:

T. Kent and Doris Schmitt  
4080 San Mateo Rd.  
Grants, NM 87020

Bob and Lynette Schmitt  
4062 San Mateo Rd.  
Grants, NM 87020

Tim and Diane Schmitt  
4080 San Mateo Rd.  
Grants, NM 87020

Jerry and Diana Schmitt  
3689 C.R. 131  
Hesperus, CO 81326  
Jon and Jayne Schmitt  
4080 San Mateo Rd.  
Grants, NM 87020

The owner of the Mineral Estate is as follows:

Hecla Mining Company  
6500 Mineral Dr., Box C-8000  
Coeur d'Alene, ID 83814-1931

### **Rule 19.10.5.502 D(3) – Property Access**

*A statement of the basis on which the applicant has the right to enter the property to conduct the mining and reclamation. The applicant will allow the Director to examine, if necessary, the documents which establish such basis.*

Access agreements are currently being negotiated with the landowner.

**Rule 19.10.5.502 D(4) – Site Assessment**

*The site assessment previously submitted pursuant to Section 69-36-5 of the Act shall be considered part of the application. If information in the site assessment requires updates to provide information necessary for evaluation of the permit or if the site-specific conditions at the time of the assessment significantly deviate from conditions at the time of submittal of the permit application, such updated information or deviations must be described in the application.*

The site assessment for this property is submitted herewith.

**Rule 19.10.5.502 D(5) – Map of Existing Facilities and Proposed Permit Area**

*A map(s) showing all existing and proposed pits, shafts, adits, stockpiles, waste units, impoundments, leach piles, processing facilities, and support facilities such as office buildings. The map(s) shall identify the proposed permit area and design limits of each unit of the operation.*

The proposed permit area and limits of individual facilities at the site are shown in the Site Assessment on Figure 2, which is also included with this application.

**Rule 19.10.5.502 D(6) – Description of Undisturbed Vegetation**

*A description of undisturbed vegetation including a comprehensive list of species and their relative abundance with regards to cover and production.*

A description of vegetation at the site and surrounding areas is provided in Section 2.11.2 of the Site Assessment.

**Rule 19.10.5.502 D(7) – Applicable State and Federal Permits**

*Evidence that other applicable state and federal permits to be obtained either have been or will be issued before the activities subject to those permits begin.*

The mine is currently closed, and UNC does not have any further plans for mining operations at the site. If required by the State of New Mexico, a stormwater discharge permit will be obtained prior to implementation of the Closeout Plan.

**Rule 19.10.5.502 D(8) – Designated Agent for Service of Notices**

*The applicant shall designate an agent and provide the agent's street address for the service of notices and orders in writing from the Director. This information shall be kept current if a permit is granted.*

The Designated Agent shall be as follows:

Larry Bush  
United Nuclear Corporation  
UNC Holdings 2  
P.O. Box 3077  
Gallup, NM 87305

**Rule 19.10.5.502 D(9) – Copy of Proposed Form of Notices**

*A copy of the proposed form of notices required under 19.10.9 NMAC.*

A copy of the proposed form of notices is attached to this Permit Application

*Proof that notice of the application has been provided by certified mail to the owners of record, as shown by the most recent property tax schedule, of all properties within ½ mile of the property on which the mining, exploration or reclamation operation is located or is proposed to be located on or before the newspaper publication date required by Subsection C of 19.10.9.903 NMAC (19.10.9.903 A.).*

Notice to be sent to owners listed in 19.10.5.502 D(2) above

*Proof that notice of the application has been provided by certified mail to all municipalities and counties and tribal organizations within a 10 mile radius of the property on which the mining, exploration or reclamation operation is or is proposed to be located on or before the newspaper publication date required by Subsection C of 19.10.9.903 NMAC (19.10.9.903 B).*

- McKinley County  
P.O. Box 70  
County Courthouse  
Gallup, NM 87305-6362
- Cibola County  
515 W. High St.  
County Courthouse  
Grants, NM 87020-2526
- There are no municipalities within 10 miles of site

*Proof that notice of the application has been published once in a newspaper of general circulation in each county in which the property on which the mining, exploration or reclamation operation is or is proposed to be located; provided that this notice shall appear in either the classified or legal advertisements section of the newspaper and at one other place in the newspaper calculated to give the general public the most effective notice, and shall be printed in both English and Spanish (19.10.9.903 C).*

Notice to be sent to the Gallup Independent

*Proof that notice of the application has been posted in at least four publicly accessible and conspicuous places on or before the newspaper publication date required by Subsection C of 19.10.9.903 NMAC, including the entrance to the new or existing mining operation or exploration operation if that entrance is publicly accessible and conspicuous (19.10.9.903 D).*

*Proof that notice of the application has been mailed to the mineral lessor, if any, on or before the newspaper publication date required by Subsection C of 19.10.9.903 NMAC (19.10.9.903 E).*

Notice to be sent to Hecla Mining Company

*Proof that notice of the application has been mailed to all persons who have made a written request to the Director for notice of this application on or before the newspaper publication date required by Subsection C of 19.10.9.903 NMAC (19.10.9.903 E.); proof that notice of the application has been mailed by certified mail to all persons on a list maintained by the Director of individuals and organizations who have requested notice of applications under this Act (19.10.9.903 F).*

*Proof that notice of the application has been mailed to the Environment Department, the State Engineer, the Department of Game and Fish, the Forestry Division and the State Historic Preservation Division (19.10.9.903 G).*

- New Mexico Environment Department  
P.O. Box 26110  
1190 St. Francis Dr., N4050  
Santa Fe, NM 87502-0110
- Office of the State Engineer  
130 South Capitol Street  
NEA Building  
PO Box 25102  
Santa Fe, NM 87504-5102
- New Mexico Department of Game and Fish  
P.O. Box 25112  
Santa Fe, NM 87507
- EMNRD-Forestry Division  
Bernalillo District  
P.O. Box 458  
Bernalillo, NM 87004
- New Mexico State Historic Preservation Division  
Room 320, La Villa Rivera  
228 East Palace Avenue  
Santa Fe, NM 87501

*When the application is determined to be administratively complete by the Director, the applicant shall provide to the Director timely proof that notice of that determination has been provided by first class mail to everyone who has indicated to the applicant in writing that they desire information regarding the application and to a list maintained by the Director of individuals and organizations who have requested notice of applications under this Act (19.10.9.903 I).*

**Rule 19.10.5.502 D(10) – Permit Fee**

*A permit fee as determined pursuant to 19.10.2 NMAC.*

The required Permit Fee has been submitted to the Department pursuant to the hearing on Motion to Stay.

**Rule 19.10.5.502 D(11) – Additional Information as Required by the Director**

*Any additional information necessary for evaluation of the permit application as required by the Director.*

Not applicable.

## PUBLIC NOTICE

Notice is hereby given that United Nuclear Corporation, P.O. Box 3077, Gallup, New Mexico 87305-3077, has submitted a permit application for an existing mine located in the northeast quarter of the southwest quarter of Section 27 in Township 14 North, Range 9 West in McKinley County, New Mexico. The boundary of the proposed permit area is approximately 14 acres.

The purpose of the application is to comply with the New Mexico Mining Act of 1993 and the rules adopted pursuant to the Act.

The Section 27 Mine is an inactive underground uranium mine which started operations in 1970 and ceased production in 1981.

A copy of the Permit Application is available for public inspection during normal business hours at the offices of the Mining and Minerals Division at the address listed below. Written comments may be submitted to:

Ms. Karen Garcia, Director  
State of New Mexico  
Mining and Minerals Division  
Pinion Building  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Any interested person may request that the director conduct a public hearing on the application. Such request must be made within 30 days of the date of the newspaper publication of the notice of application unless otherwise stated in this notice.