



# NEW MEXICO ENVIRONMENTAL LAW CENTER

Mr. Bill Brancard  
Interim Director, New Mexico Mining and Minerals Division  
Energy, Minerals and Natural Resources Department  
1120 South St. Francis Drive  
Santa Fe, New Mexico 87505

VIA ELECTRONIC MAIL

RE: Request for Hearing; Mt. Taylor Mine Stand-by Permit Renewal Application

Dear Mr. Brancard:

On behalf of Amigos Bravos and the Multicultural Alliance for a Safe Environment ("MASE"), please accept this request for a hearing, pursuant to 19.10.7.701.G and 19.10.9.904 NMAC, on Rio Grande Resources' application for a stand-by permit renewal for its Mt. Taylor Mine. Notice of the permit renewal was published in the Cibola County Beacon on June 21, 2010.

Amigos Bravos and MASE request a hearing for three reasons. First, Amigos Bravos and MASE have significant concerns about the environmental impacts of the Mt. Taylor mine and that those impacts will be aggravated if Rio Grande Resources ("RGR") is granted a stand-by permit without requiring any reclamation of existing pollution sources. For example, the two waste piles and the ore stockpile noted in RGR's application are potential sources for groundwater, surface water and air pollution. Nevertheless, the applicant provided no data in its application supporting its assertion that no ground or surface water contamination has resulted from waste and stock piles, nor does the applicant provide anything beyond mere assertions that its waste and stock piles do not represent a danger to human health.

Second, Amigos Bravos and MASE find Rio Grande Resources representations about the future economic viability of the Mt. Taylor Mine troubling. RGR asserts, without any apparent support, that production at the Mt. Taylor Mine will resume in the "relatively near future". RGR provides no information about when it may resume production at the Mt. Taylor Mine, what the spot or long term contract price of uranium needs to be to resume production, whether RGR has any contractual prospects for its ore, and, perhaps most important, where RGR anticipates the ore from the Mt. Taylor Mine will be milled.

Finally, based in part on the above two reasons, Amigos Bravos and MASE are concerned that the New Mexico Mining Act regulations providing that inactive mines may be placed on stand-by status are becoming an avenue for mining companies to postpone reclamation activities nearly indefinitely. RGR has avoided any reclamation activities for 15 years. At best, it is unclear whether the Mt. Taylor Mine is a pollution source. It is also highly speculative whether the Mt. Taylor Mine will be economically viable "in the relatively near future" or even ever. It is not the Mining Act's intent to allow a mine to sit idle for well over a decade on the mere hunch that it someday may again become economically viable.

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Thank you for your attention to this matter, and please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

\_\_\_\_\_/s/\_\_\_\_\_  
Eric Jantz  
Staff Attorney

Cc: Charles Thomas  
Joe Lister  
Michael Jensen  
Nadine Padilla