

**NOTICE OF PUBLIC HEARING  
NEW MEXICO ENVIRONMENT DEPARTMENT**

The New Mexico Environment Department (NMED) will hold a public hearing beginning at 10:00 a.m. on April 20, 2010 at the Cibola County Building located at 515 West High Street in Grants, New Mexico, and continuing on April 21, 2010 at 9:00 a.m. at the same location, if necessary. The hearing will consider the proposed ground water discharge permit DP-1712 submitted by Rio Grande Resources Corporation. Non-technical public comment will be taken from 12:00 p.m. to 12:30 p.m. and from 5:00 p.m. to 5:30 p.m. on April 20, 2010.

**Name of the Applicant:** Rio Grande Resources Corporation - Joe Lister, Mine Manager, Mt. Taylor Mine, P.O. Box 1150, Grants, New Mexico 87020.

**Location of the Discharge:** The Mt. Taylor Mine is located approximately 23 miles north of Milan on Highway 605 in Section 24, T13N, R8W, Cibola County.

**Activities Which Produce the Discharge:** The proposed DP-1712 covers discharges of up to 14,400 gallons per day for no more than 60 days of treated water to an existing 14-foot diameter mine shaft for disposal as part of a water treatment pilot study. This hearing will not cover any other discharge activities at the facility.

**Quality, Quantity, and Flow Characteristics of the Discharge:** Rio Grande Resources Corporation proposes to discharge up to 14,400 gallons per day of treated water associated with a pilot study to determine the most efficient method for removal of uranium from water. The pilot study involves the extraction of ground water from the Refrigeration Bench South well at a rate of 10 gallons per minute for a maximum of 60 days, running the collected water through different ion exchange resins to treat water to meet New Mexico water quality standards, and discharging the treated water to the existing 14-foot diameter mine shaft for disposal. The water, prior to treatment, exceeds health-based water quality standards for uranium under the New Mexico Ground and Surface Water Protection regulations at 20.6.2.3103.A NMAC.

**Depth to Groundwater:** Ground water beneath the Mt. Taylor mine ranges from approximately 25 to 30 feet below ground surface and currently has a total dissolved solids (TDS) concentration of approximately 5,700 milligrams per liter (mg/l). Pre-mining TDS concentrations in the alluvium are unknown as the Menefee formation was not saturated prior to mine operation. Ground water in the alluvial system flows from the east below the site.

**Hearing Procedures:** The hearing will be conducted pursuant to the NMED Permit Procedures regulations, 20.1.4 NMAC, and the NMED Ground and Surface Water Protection regulations, 20.6.2.3110 NMAC. Any member of the public may attend the hearing and present relevant non-technical testimony, orally or in writing, and to examine witnesses testifying at the hearing. To be a party or to present technical testimony, a person must follow the procedures below:

**Entry of Appearance Required to be Party.** Any person who wishes to be a party shall file with the Hearing Clerk, and serve upon all other parties of record, including NMED and the Applicant, an **Entry of Appearance on or before April 6, 2010.**

**Statement of Intent to Present Technical Testimony Required.** Any person who wishes to present technical evidence, data, or testimony at the hearing shall file with the Hearing Clerk and serve on the Applicant, NMED, and all other parties of record a **Statement of Intent to Present Technical Testimony on or before April 6, 2010**. A timely filed Statement of Intent shall be considered an Entry of Appearance. The Statement of Intent must comply with the requirements in 20.1.4.300 NMAC and 20.6.2.3110.C NMAC and shall include: the name of the person filing the statement, whether the person filing the statement supports or opposes the proposed permit, the name/address/affiliation/work background/educational background of each witness, the estimated length of direct testimony of each witness, a list of exhibits to be offered into evidence at the hearing with a copy of each exhibit that is not already part of the Record Proper, a list of all technical materials – and information where the material can be obtained – relied upon by each witness in making a technical statement of fact or opinion and an explanation of the basis for such an opinion, and a summary of the direct testimony of each witness including any opinions to be offered by such witness and an explanation of the basis for that opinion.

**Failure to file a timely Entry of Appearance or Statement of Intent to Present Technical Testimony** shall preclude a person from being a party to the proceeding and from presenting technical testimony, but shall not preclude a person from presenting a general written or oral statement or non-technical testimony in the proceeding.

**Final Determination on Permit by NMED:** The Secretary of NMED will make a final determination approving, conditionally approving, or disapproving DP-1712 based on the administrative record for the permit application, public comment, and the public hearing.

**Documents Filed with Hearing Clerk.** All documents that need to be filed with the Hearing Clerk shall be submitted to: Sally Worthington, Hearing Clerk, NMED, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico 87502, (505) 827-2002.

**Documents Served on NMED.** All documents that need to be served on NMED shall be sent to: Leslie Barnhart, NMED Office of General Counsel, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico 87502-5469.

**Further Information and NMED Contact:** For further information on DP-1712 and the public hearing please contact Jerry Schoeppner, NMED Ground Water Quality Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico 87502-5469, (505) 827- 0652.

The administrative record and copies of the proposed permit can be viewed at the NMED Ground Water Quality Bureau, Harold Runnels Building, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, (505) 827-2900. They can also be viewed on the NMED website at: <http://www.nmenv.state.nm.us/gwb/NMED-GWQB-PublicNotice.htm>.

If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Judy Bentley at least ten days prior to the hearing date at NMED, Personnel Service Bureau, Room N-4071, 1190 St. Francis Drive, P.O. Box 26110, Santa Fe, New Mexico, 87502. Ms. Bentley's telephone number is (505) 827-9872. TDY users please access Ms. Bentley's

number through the New Mexico Relay Network at 1-800-659-8331.

Any person requiring Spanish or Pueblo language translation may contact Sally Worthington at (505) 827-2002, or submit a written request to Ms. Worthington, at least ten (10) calendar days prior to the hearing at NMED, P.O. Box 5469, Santa Fe, New Mexico 87502.

**Transcripts of Hearing.** NMED will record the hearing on audio tapes. Any person who would like a written transcript of the hearing will need to arrange and pay for a court reporter to attend the hearing.