

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT**

**IN THE MATTER OF THE APPLICATION OF HOMESTAKE MINING COMPANY OF CALIFORNIA FOR MODIFICATION AND RENEWAL OF GROUND WATER DISCHARGE PERMIT DP-200
MILAN, NEW MEXICO**

NOTICE OF PUBLIC HEARING

Description of the Requested Action: The New Mexico Environment Department (NMED) has scheduled a public hearing to consider the proposed approval of a ground water Discharge Permit DP-200 modification and renewal, based on the application submitted dated July 14, 2000, an updated application dated February 8, 2010, and additional information that has been submitted as part of the modification and renewal process by Homestake Mining Company of California (HMC), P.O. Box 98, Grants, New Mexico 87020. Discharge Permits are modified and renewed pursuant to the New Mexico Water Quality Control Commission (WQCC) Regulations, 20.6.2 NMAC.

Hearing Date, Time, and Location: The hearing begins with opening statements and the presentation of technical testimony on Tuesday, April 29, 2014, 9:00 a.m., at the Cibola County Government Building, 515 West High Street, in Grants, New Mexico. Non-technical public comment will be taken as specified by the Hearing Officer and also starting at 5:00 p.m. on April 29th. The hearing may continue on the following day as determined by the Hearing Officer. In lieu of oral public comments, written statements may be submitted to the Hearing Clerk for the record during or prior to the hearing.

Application and Facility Description: In the Discharge Permit DP-200 modification and renewal application for the HMC uranium millsite, HMC proposes to modify the existing Discharge Permit to authorize the treatment and/or discharge of up to 5,500 gallons per minute of ground water that has been contaminated by seepage from former uranium milling operations. Contaminated ground water that is collected from wells is currently treated primarily by reverse osmosis, or is discharged to three synthetically-lined evaporation ponds. The Discharge Permit would authorize land application of contaminated ground water subject to water quality limitations for a maximum of two years, and implementation of additional reverse osmosis and evaporative capacity. Additionally, this modification and renewal of Discharge Permit DP-200 would authorize implementation of alternative treatment methods that HMC currently is pilot-testing, which would be subject to NMED approval before full-scale use. Water contaminants associated with this discharge include nitrate, selenium, uranium, combined radium-226 plus radium-228, chloride, sulfate, total dissolved solids, and molybdenum. Alluvial ground water below the tailings impoundments ranges from approximately 25 to 50 feet below ground surface.

Hearing Procedures: The hearing will be conducted in accordance with the WQCC Regulations at 20.6.2.3110 NMAC and NMED's Permitting Procedures at 20.1.4 NMAC,

available electronically at <http://www.nmcpr.state.nm.us/nmac/title20/title20.htm>, and at no charge from the NMED Hearing Clerk, Sally Worthington, Room S-2103, 1190 St. Francis Drive, Santa Fe, New Mexico 87502, telephone (505) 827-2002, fax (505) 827-2836. All interested persons will be given a reasonable opportunity at the public hearing to submit relevant evidence, data, views or arguments orally or in writing, and to examine persons who testify at the hearing.

No decision will be made at the end of the hearing; the post-hearing process will be set out upon the completion of the evidentiary record. Following that process, the NMED Secretary will approve, conditionally approve, or disapprove the proposed Discharge Permit based upon the Administrative Record for the Discharge Permit application, including the applicable information provided during the public hearing.

NMED will arrange for a court reporting service to make a written transcript of the hearing proceedings. Any party requesting a copy of the transcript from the court reporting service shall bear the full cost of obtaining copies of the transcript. The transcript also becomes a public record available from the NMED Hearing Clerk.

Technical Evidence Presentation Requirements: Any person who wishes to present technical evidence at the hearing shall file a Statement of Intent to Present Technical Testimony by 5:00 p.m. on April 15, 2014, with the NMED Hearing Clerk, Sally Worthington, Room S-2103, 1190 St. Francis Drive, P.O. 5469, Santa Fe, New Mexico 87502. Persons filing a Statement of Intent shall also serve a copy on the Department, the Applicant and other parties of record. A service list is available from the Hearing Clerk. Any Procedural Order that may be entered by the Hearing Officer for this Hearing will be available from the Hearing Clerk and on the web at www.nmenv.state.nm.us/gwb/NMED-GWQB-PublicNotice.htm.

Statement of Intent to Present Technical Testimony: A Statement of Intent to Present Technical Testimony shall identify the person filing the statement; state whether the person filing the statement supports or opposes the Draft Permit; identify each witness, including name, address, affiliation(s), and educational and work background; estimate the length of the direct testimony of each witness; identify all exhibits which are part of the Record Proper and, for exhibits not part of the Record Proper, attach a copy; list or make available all technical materials relied upon by each witness in making statement of technical of fact or opinion contained in his or her direct testimony; and attach a summary of the testimony of each witness, stating any opinion(s) to be offered by such witness, and an explanation of the basis for such opinion(s). Failure to file a timely and complete Statement of Intent to Present Technical Testimony shall preclude a person 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.

The Administrative Record: Any person may examine the Administrative Record for the proposed Discharge Permit Renewal. The Administrative Record currently is

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available for review on the web at <http://www.nmenv.state.nm.us/gwb/HMC-Additional-Docs.htm>.

Arrangements for Persons Requiring Aid to Participate: If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Juan-Carlos Borrego by April 15, 2014 at the NMED Human Resources Bureau, Room S-4303, 1190 St. Francis Drive, P.O. Box 5469, Santa Fe, New Mexico 87502. Mr. Borrego's telephone number is (505) 827-0424. TDY users please access Mr. Borrego's number through the New Mexico Relay Network at (800) 659-8331.