SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lt. Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Harold Runnels Building
1190 South St. Francis Drive (87505)
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-0187 Fax (505) 827-0160
www.env.nm.gov

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

Certified Mail - Return Receipt Requested

August 19, 2015

Mr. Karl Meyers, President
Resurrection Mining, LLC
P. O. Box 222
Peralta, New Mexico 87042

Re: **Resurrection Mining, LLC Rio Puerco Uranium Mine; Major Non-Municipal, SIC 1094, NPDES Compliance Evaluation Inspection, NM0028169, August 6, 2015**

Dear Mr. Meyers:

Enclosed please find a copy of the report and check list for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further you are encouraged to notify in writing both USEPA and NMED regarding modifications and compliance schedules at the addresses below:

Racquel Douglas
US Environmental Protection Agency, Region VI
Enforcement Branch (6EN-WM)
Fountain Place
1445 Ross Avenue
Dallas, Texas 75202-2733

Bruce Yurdin
New Mexico Environment Department
Surface Water Quality Bureau
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

If you have any questions about this inspection report, please contact Daniel Valenta at (505) 827-2575 or at daniel.valenta@state.nm.us.

Sincerely,

/s/Bruce Yurdin

Bruce J. Yurdin
Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

cc: Rashida Bowlin, USEPA (6EN-AS) by e-mail
Carol Peters, USEPA (6EN-WM) by e-mail
Brent Larsen, USEPA (6WQ) by e-mail
Racquel Douglas, USEPA (6EN-WM) by e-mail
Gladys Gooden-Jackson, USEPA (6EN-WC) by e-mail
NMED District I, William Chavez by e-mail
Michael Colman, NMNRD by e-mail

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspec. Type	Inspector	Fac Type
N	NM0028169	150806	C	S	2

Remarks: URANIUM MINE

Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved
1	4	N	N	

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*	Entry Time /Date	Permit Effective Date
Resurrection Mining, LLC (formerly Uranium King) Located approximately eight miles south of Marquez, NM Sandoval County	0955/August 6, 2015	April 1, 2011
	Exit Time/Date	Permit Expiration Date
	1215/August 6, 2015	March 31, 2016

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data
Sid Cooper Daniel Perez /Partner/914-255-3299	
Name, Address of Responsible Official/Title/Phone and Fax Number	Contacted
Karl Meyers, Box 22, Peralta, NM 87042/President Resurrection Mining/505-565-0202/ 505-975-4888	Yes [X] No [ ]
	Latitude 35.269° Longitude -107.19617° SIC 1094

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
S	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
S	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

1. **SEE REPORT AND FURTHER EXPLANATIONS.**

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Daniel Valenta */s/Daniel Valenta*	NMED/SWQB 505-827-2575	8/19/2015
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Sarah Holcomb */s/Sarah Holcomb*	NMED/SWQB 505-827-2798	8/19/2015

Resurrection Mine formerly Uranium King	PERMIT NO. NM0028169

SECTION A - PERMIT VERIFICATION

PERMIT SATISFACTORILY ADDRESSES OBSERVATIONS DETAILS:	☒ S ☐ M ☐ U ☐ NA (*FURTHER EXPLANATION ATTACHED no.)*
1. CORRECT NAME AND MAILING ADDRESS OF PERMITTEE	☒ Y ☐ N ☐ NA
2. NOTIFICATION GIVEN TO EPA/STATE OF NEW DIFFERENT OR INCREASED DISCHARGES	☒Y ☐ N ☐ NA
3. NUMBER AND LOCATION OF DISCHARGE POINTS AS DESCRIBED IN PERMIT	☒ Y ☐ N ☐ NA
4. ALL DISCHARGES ARE PERMITTED	☒Y ☐ N ☐ NA

SECTION B - RECORDKEEPING AND REPORTING EVALUATION

RECORDS AND REPORTS MAINTAINED AS REQUIRED BY PERMIT. DETAILS:	☒ S ☐ M ☐ U ☐ NA (*FURTHER EXPLANATION ATTACHED No)*	
1. ANALYTICAL RESULTS CONSISTENT WITH DATA REPORTED ON DMRs.	No discharges occurred, no samples taken.	☐ Y ☐ N ☒ NA
2. SAMPLING AND ANALYSES DATA ADEQUATE AND INCLUDE.		☐ S ☐ M ☐ U ☒ NA
a) DATES, TIME(S) AND LOCATION(S) OF SAMPLING		☐ Y ☐ N ☒ NA
b) NAME OF INDIVIDUAL PERFORMING SAMPLING		☐ Y ☐ N ☒ NA
c) ANALYTICAL METHODS AND TECHNIQUES.		☐ Y ☐ N ☒ NA
d) RESULTS OF ANALYSES AND CALIBRATIONS.		☐ Y ☐ N ☒ NA
e) DATES AND TIMES OF ANALYSES.		☐ Y ☐ N ☒NA
f) NAME OF PERSON(S) PERFORMING ANALYSES.		☐ Y ☐ N ☒ NA
3. LABORATORY EQUIPMENT CALIBRATION AND MAINTENANCE RECORDS ADEQUATE.		☐ S ☐ M ☐ U ☒ NA
4. PLANT RECORDS INCLUDE SCHEDULES, DATES OF EQUIPMENT MAINTENANCE AND REPAIR.		☐ S ☐ M ☐ U ☒ NA
5. EFFLUENT LOADINGS CALCULATED USING DAILY EFFLUENT FLOW AND DAILY ANALYTICAL DATA. .		☐Y ☐ N ☒ NA

SECTION C – OPERATIONS AND MAINTENANCE

TREATMENT FACILITY PROPERLY OPERATED AND MAINTAINED. DETAILS:	☐ S ☐ M ☐ U ☒ NA *(FURTHER EXPLANATION ATTACHED **No**.)*
1. TREATMENT UNITS PROPERLY OPERATED.	☐ S ☐ M ☐U ☒ NA
2. TREATMENT UNITS PROPERLY MAINTAINED.	☐ S ☐ M ☐ U ☒ NA
3. STANDBY POWER OR OTHER EQUIVALENT PROVIDED.	☐ S ☐ M ☒ U
4. ADEQUATE ALARM SYSTEM FOR POWER OR EQUIPMENT FAILURES AVAILABLE.	☐ S ☐ M ☐ U ☒ NA
5. ALL NEEDED TREATMENT UNITS IN SERVICE.	☐S ☐ M ☐U ☒ NA
6. ADEQUATE NUMBER OF QUALIFIED OPERATORS PROVIDED.	☐S ☐ M ☐ U ☒ NA
7. SPARE PARTS AND SUPPLIES INVENTORY MAINTAINED.	☐ S ☐ M ☐U ☒ NA
8. OPERATION AND MAINTENANCE MANUAL AVAILABLE. STANDARD OPERATING PROCEDURES AND SCHEDULES ESTABLISHED. PROCEDURES FOR EMERGENCY TREATMENT CONTROL ESTABLISHED.	☐ Y ☐ N ☒ NA ☐ Y ☐N ☒ NA ☐ Y ☐ N ☒ NA

Resurrection Mine formerly Uranium King	PERMIT NO. NM0028169

SECTION C - OPERATIONS AND MAINTENANCE (CONT'D)

9. HAVE BYPASSES/OVERFLOWS OCCURRED AT THE PLANT OR IN THE COLLECTION SYSTEM IN THE LAST YEAR? ☐ Y ☐ N ☒ NA
IF SO, HAS THE REGULATORY AGENCY BEEN NOTIFIED? ☐ Y ☐ N ☒ NA
HAS CORRECTIVE ACTION BEEN TAKEN TO PREVENT ADDITIONAL BYPASSES/OVERFLOWS? ☐ Y ☐ N ☒ NA

10. HAVE ANY HYDRAULIC OVERLOADS OCCURRED AT THE TREATMENT PLANT? ☐ Y ☐ N ☒ NA
IF SO, DID PERMIT VIOLATIONS OCCUR AS A RESULT? ☐ Y ☐ N ☒ NA

SECTION D - SELF-MONITORING

PERMITTEE SELF-MONITORING MEETS PERMIT REQUIREMENTS. ☐ S ☐ M ☐ U ☒ NA *(FURTHER EXPLANATION ATTACHED no).*
DETAILS:

1. SAMPLES TAKEN AT SITE(S) SPECIFIED IN PERMIT. No discharges occurred, no samples taken. ☐ Y ☐ N ☒ NA

2. LOCATIONS ADEQUATE FOR REPRESENTATIVE SAMPLES. ☐ Y ☐ N ☒ NA

3. FLOW PROPORTIONED SAMPLES OBTAINED WHEN REQUIRED BY PERMIT. ☐ Y ☐ N ☒ NA

4. SAMPLING AND ANALYSES COMPLETED ON PARAMETERS SPECIFIED IN PERMIT. ☐ Y ☐ N ☒ NA

5. SAMPLING AND ANALYSES PERFORMED AT FREQUENCY SPECIFIED IN PERMIT. ☐ Y ☐ N ☒ NA

6. SAMPLE COLLECTION PROCEDURES ADEQUATE ☐ Y ☐ N ☒ NA

a) SAMPLES REFRIGERATED DURING COMPOSITING. ☐ Y ☐ N ☒ NA

b) PROPER PRESERVATION TECHNIQUES USED. ☐ Y ☐ N ☒ NA

c) CONTAINERS AND SAMPLE HOLDING TIMES CONFORM TO 40 CFR 136.3. ☐ Y ☐ N ☒ NA

7. IF MONITORING AND ANALYSES ARE PERFORMED MORE OFTEN THAN REQUIRED BY PERMIT, ARE THE RESULTS REPORTED IN PERMITTEE'S SELF-MONITORING REPORT? ☐ Y ☐ N ☒ NA

SECTION E - FLOW MEASUREMENT

PERMITTEE FLOW MEASUREMENT MEETS PERMIT REQUIREMENTS. ☐ S ☐ M ☐ U ☒ NA *FURTHER EXPLANATION ATTACHED no)*
DETAILS:

1. PRIMARY FLOW MEASUREMENT DEVICE PROPERLY INSTALLED AND MAINTAINED. ☐ Y ☐ N ☒ NA
TYPE OF DEVICE No discharges occurred, no samples taken.

2. FLOW MEASURED AT EACH OUTFALL AS REQUIRED. ☐ Y ☐ N ☒ NA

3. SECONDARY INSTRUMENTS (TOTALIZERS, RECORDERS, ETC.) PROPERLY OPERATED AND MAINTAINED ☐ Y ☐ N ☒ NA

4. CALIBRATION FREQUENCY ADEQUATE. *(DATE OF LAST CALIBRATION_____)* ☐ Y ☐ N ☒ NA
RECORDS MAINTAINED OF CALIBRATION PROCEDURES. ☐ Y ☐ N ☒ NA
CALIBRATION CHECKS DONE TO ASSURE CONTINUED COMPLIANCE. ☐ Y ☐ N ☒ NA

5. FLOW ENTERING DEVICE WELL DISTRIBUTED ACROSS THE CHANNEL AND FREE OF TURBULENCE. ☐ Y ☐ N ☒ NA

6. HEAD MEASURED AT PROPER LOCATION. ☐ Y ☐ N ☒ NA

7. FLOW MEASUREMENT EQUIPMENT ADEQUATE TO HANDLE EXPECTED RANGE OF FLOW RATES. ☐ Y ☐ N ☒ NA

SECTION F – LABORATORY

PERMITTEE LABORATORY PROCEDURES MEET PERMIT REQUIREMENTS. ☐ S ☐ M ☐ U ☒ NA *(FURTHER EXPLANATION ATTACHED no)*
DETAILS:

1. EPA APPROVED ANALYTICAL PROCEDURES USED *(40 CFR 136.3 FOR LIQUIDS, 503.8(b) FOR SLUDGES)* ☐ Y ☐ N ☒ NA

Resurrection Mine formerly Uranium King	PERMIT NO. NM0028169

SECTION F - LABORATORY (CONT'D)

2. IF ALTERNATIVE ANALYTICAL PROCEDURES ARE USED, PROPER APPROVAL HAS BEEN OBTAINED ☐ Y ☐ N ☒ NA

3. SATISFACTORY CALIBRATION AND MAINTENANCE OF INSTRUMENTS AND EQUIPMENT. ☐ S ☐ M ☐ U ☒ NA

4. QUALITY CONTROL PROCEDURES ADEQUATE. ☐ S ☐ M ☐ U ☒ NA

5. DUPLICATE SAMPLES ARE ANALYZED. __ % OF THE TIME. No discharges occurred, no samples taken. ☐ Y ☐ N ☒ NA

6. SPIKED SAMPLES ARE ANALYZED. __ % OF THE TIME. ☐ Y ☐ N ☒ NA

7. COMMERCIAL LABORATORY USED. ☐ Y ☐ N ☒ NA

LAB NAME ____

LAB ADDRESS__

PARAMETERS PERFORMED __,

SECTION G - EFFLUENT/RECEIVING WATERS OBSERVATIONS. ☐S ☐ M ☐ U ☒ NA *(FURTHER EXPLANATION ATTACHED NO).*

OUTFALL NO.	OIL SHEEN	GREASE	TURBIDITY	VISIBLE FOAM	FLOAT SOL.	COLOR	OTHER
001	N/A	N/A	N/A	N/A	N/A	N/A	

RECEIVING WATER OBSERVATIONS: .

SECTION H - SLUDGE DISPOSAL

SLUDGE DISPOSAL MEETS PERMIT REQUIREMENTS. ☐S ☐ M ☐ U ☒ NA *(FURTHER EXPLANATION ATTACHED no).*
DETAILS:

1. SLUDGE MANAGEMENT ADEQUATE TO MAINTAIN EFFLUENT QUALITY. ☐S ☐ M ☐ U ☒ NA

2. SLUDGE RECORDS MAINTAINED AS REQUIRED BY 40 CFR 503. ☐ S ☐ M ☐ U ☒ NA

3. FOR LAND APPLIED SLUDGE, TYPE OF LAND APPLIED TO: _____ (e.g., FOREST, AGRICULTURAL, PUBLIC CONTACT SITE)

SECTION I - SAMPLING INSPECTION PROCEDURES *(FURTHER EXPLANATION ATTACHED No).*

1. SAMPLES OBTAINED THIS INSPECTION. ☐ Y ☒ N ☐ NA

2. TYPE OF SAMPLE OBTAINED

GRAB ____ COMPOSITE SAMPLE __ METHOD _____ FREQUENCY

3. SAMPLES PRESERVED. ☐ Y ☐ N ☒ NA

4. FLOW PROPORTIONED SAMPLES OBTAINED. ☐ Y ☐ N ☒ NA

5. SAMPLE OBTAINED FROM FACILITY'S SAMPLING DEVICE. ☐ Y ☐ N ☒ NA

6. SAMPLE REPRESENTATIVE OF VOLUME AND MATURE OF DISCHARGE. ☐ Y ☐ N ☒ NA

7. SAMPLE SPLIT WITH PERMITTEE. ☐ Y ☐ N ☒ NA

8. CHAIN-OF-CUSTODY PROCEDURES EMPLOYED. ☐Y ☐ N ☒ NA

9. SAMPLES COLLECTED IN ACCORDANCE WITH PERMIT. ☐ Y ☐ N ☒ NA

Compliance Evaluation Inspection
Resurrection Mining LLC – Rio Puerco Mine
NPDES Permit #NM0028169, August 6, 2015

Further Explanations

Introduction:

On August 6, 2015, a Compliance Evaluation Inspection (CED) was conducted at Resurrection Mining LLC - Rio Puerco Mine, formerly Uranium King, located near Seboyeta, New Mexico by Daniel Valenta of the State of New Mexico Environment Department (NMED) accompanied by Sandra Gabaldon. The Rio Puerco mine is dassified as a major discharger under the federal Clean Water Act, Section 402 National Pollutant Discharge Elimination System (NPDES) permit program and is assigned permit #NM0028169.

This facility is permitted to discharge mine drainage, and treated sanitary wastewater from Outfall 00lA, an internal outfall, to Outfall 001. Discharges from Outfall 001 are to an unnamed tributary to Canon del Piojo; thence to Salado Creek; thence to the Rio Puerco (East); thence to the Rio Grande in Segment 20.6.4.105 NMAC of the Rio Grande Basin. Designated uses of this segment are irrigation, marginal warmwater aquatic life, livestock watering, public water supply, wildlife habitat and primary contact.

The NMED performs a certain number of CEI's for the U.S. Environmental Protection Agency (USEPA) each year. The purpose of this inspection is to provide USEPA with information to evaluate the permittee's compliance with the NPDES permit. The enclosed report is based on review of files maintained by both the permittee and NMED, on-sight observations by NMED personnel and verbal information provided by the permittee's representatives.

Mr. Meyers was contacted and arrangements were made to meet with company officials and tour the facility. Due to a conflict Mr. Meyers was unable to attend on the arranged day. The Inspectors met with Mr. Perez and Mr. Cooper at 10:00 on August 6, 2015 at a designated location. The group traveled to the mine which is located in a remote location accessed only by unpaved dirt roads. At the mine the Inspector presented his credentials, and discussed the purpose of the inspection.

Finding:

In a letter dated December 7, 2000 from Mr. Karl Meyers to NMED, the mine is described. This is an inactive underground uranium mine which was operated briefly about 35 years ago. It produced some 10,000 tons of uranium bearing material containing some 25,000 pounds of uranium oxide. The material was hoisted through the shaft and dumped onto a reinforced-concrete slab with a steel wall where it was loaded for shipping. The last discharge from this inactive facility was approximately 1980, (see attachment A).

- The large metal building and other smaller structures have been demolished and all sellable metal material removed from the area. Only a pile of waste material remains at the site from the structures, (see photo 1).

- The main shaft entrance is covered by a welded iron plate. The WWTP has been stripped and only the water filled underground chambers remain, (see photo 2).

- The treatment lagoons liners are degraded with what appears to be rainwater ponded in the bottom. The ponds would have to fill before any discharge could occur at Outfall 001, (see photo 3).

- There are piles of soil stored next to the mine site. Per the December 7, 2000 letter to NMED, see attached, "these are only spoil piles and contain only minimal background uranium content". In reviewing the file record no soil sampling data was found. Some of these materials appear to be spilling over the edge into the canyon below, (see photo 4). This erosion and mobilization of the spoil piles is noted in the October 31, 2000 Reconnaissance Inspection, the April 13, 2007 CEI, and the August 24, 2012 CEI.

Note: The present permit shall expire at midnight March 31, 2016.

Per Part III. A.4 - *DUTY TO REAPPLY*

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR Part 122.6 and any subsequent amendments.

Note: Should de-watering/groundwater pumping activities commence the sampling requirements per Part 1.A of the permit would be required. The present permit covers discharges of mine drainage water including excess stormwater and sanitary wastewater from Outfall 001 if monitored per the permit requirements. Discharges other than Outfall 001 would require a permit modification or may be considered an unpermitted discharge. These activities may also require the need for a Multi-Sector General Permit for stormwater discharges associated with industrial Activities (MSGP).

Directions to Mine:

From Albuquerque – Take I 40 West to exit 114 (State Route 124). Go west to SR 279 North and north on 279N approximately 13.3 miles to the south edge of Seboyeta. Cibola County Route 1 turns right (east) across from a white house on the left (west) side of SR 279. Go east on Cibola County 1 approximately 12.8 miles and tum right on a small gravel/dirt road (County Road 2 - there is a very small sign at this intersection). Go 1.6 miles and take the right leg at the Y (at No Trespassing - L Bar Ranch sign). Go another 1.6 miles to a gate. Go through the gate and approximately 3/10 miles to the first left. Turn left and go almost to a line camp on the left. Turn right up the hill to the mine facility located approximately 1 mile after the last left tum.

NMED/SWQB
Official Photograph Log

Photo # 1

Photographer: Daniel Valenta	Date: August 6, 2015	Time: 1108 hours
City/County: Approximately eight miles south of Marquez, NM		
Location: Resurrection Mine formerly the Uranium King Mine, facing northeast.		
Subject: The mine facility buildings have been torn down with the metal salvaged.		

NMED/SWQB
Official Photograph Log

Photo # 2

Photographer: Daniel Valenta	Date: August 6, 2015	Time: 1108 hours
City/County: Approximately eight miles south of Marquez, NM		
Location: Resurrection Mine formerly the Uranium King Mine, facing southwest.		
Subject: Waste water treatment package plant, just the underground treatment tanks remain.		

NMED/SWQB
Official Photograph Log

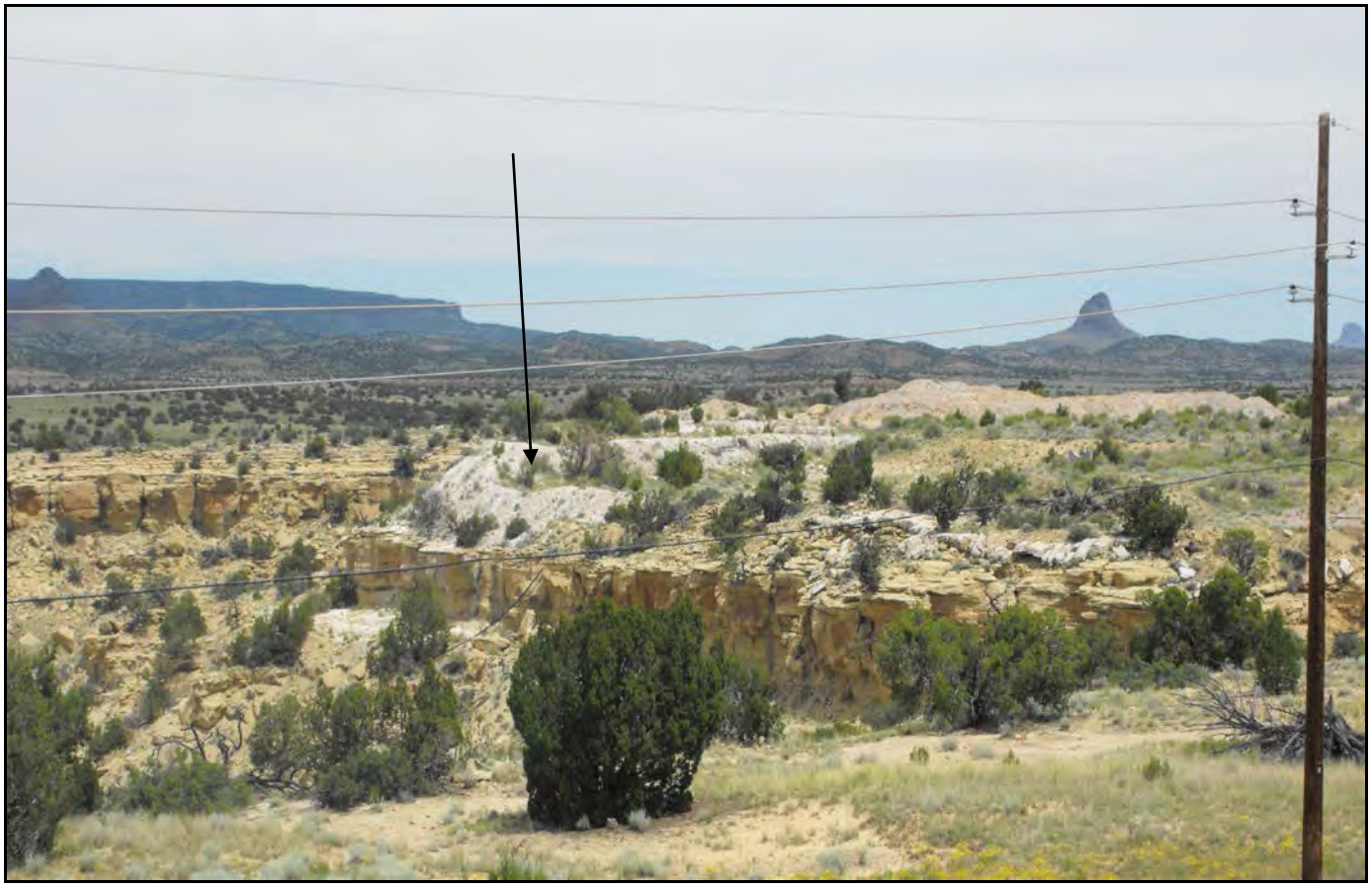
Photo # 3

Photographer: Daniel Valenta	Date: August 6, 2015	Time: 1149 hours
City/County: Approximately eight miles south of Marquez, NM		
Location: Resurrection Mine formerly the Uranium King Mine, facing southwest.		
Subject: Final treatment lagoon before discharge to Outfall 001.		

NMED/SWQB
Official Photograph Log

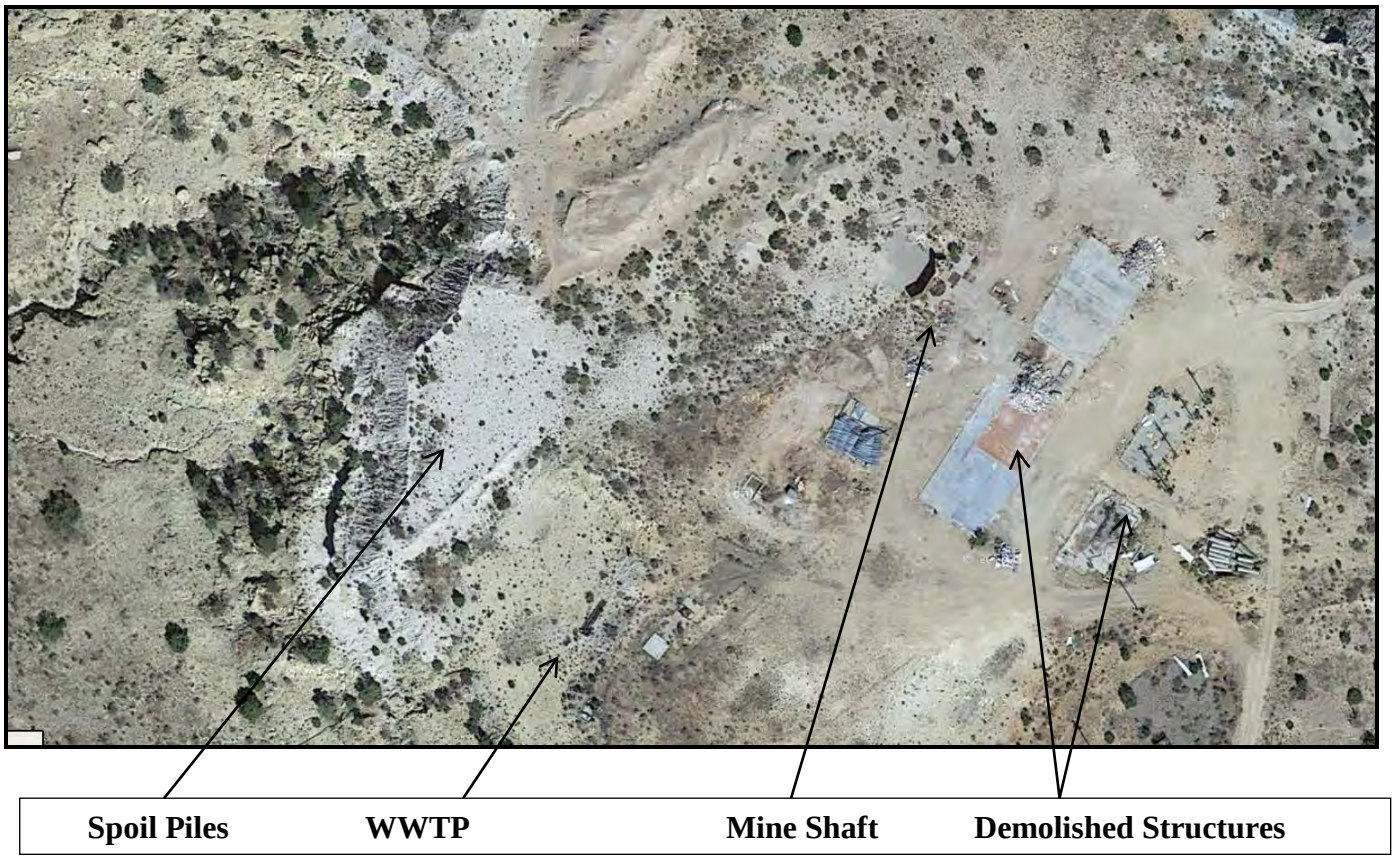
Photo # 4

Photographer: Daniel Valenta	Date: August 6, 2015	Time: 1200 hours
City/County: Approximately eight miles south of Marquez, NM		
Location: Resurrection Mine formerly the Uranium King Mine, facing northwest.		
Subject: Spoil piles from the mine appear to be eroding into the canyon below.		



NMED/SWQB
Google Overview

35.269	Date: September 1, 2010	-107.19617
City/County: Approximately eight miles south of Marquez, NM		
Location: Resurrection Mine formerly the Uranium King Mine, facing northwest.		
Subject: Overview of the Resurrection Mine formerly the Uranium King Mine.		



Attachment 1

Karl F. Meyers
Mineral Consultant
2431 Main St., SE, #278
Los Lunas, New Mexico 87031
Tel: 505-352-7252 Fax: 253-669-7247
E-mail: kfmgb@earthlink.net

Reports

December 7, 2000

NMEID
Mr. Rich Powell
Surface Water Division
Harold Runnels Building
1190 St. Francis Road
Santa Fe, New Mexico 87504

Re: # NM0028169

Dear Mr. Powell,

We are in receipt of your correspondence to Uranium King Corporation dated November 21, 2000. For the record the Rio Puerco Mine was operated briefly about 20 years ago having produced some 10,000 tons of uranium bearing material containing some 25,000 pounds of uranium oxide. The material was hoisted through the shaft and dumped onto a reinforced-concreted slab with a backwall where it was immediately removed from the premises to avoid any contact with the surface formation. Absolutely no residual uranium bearing material remains at the surface of the site and has not done so for almost 20 years.

You left us a telephone message of your intent to visit the property. However the message you left was not clear as to the time of the visit. We placed several calls to your office to ascertain the time of the visit because we wanted to meet you there but never made direct contact with you.

Our intent was to be on site at the time of your visit. Later, when I did reach you by telephone you indicated that there was some erosion of the shaft spoil pile but the erosion was so slight it probably did not warrant reporting.

The shaft spoil pile, as you know, contains only minimal background uranium content that is common to all the formations of the area. As you also know, uranium is not ubiquitous throughout the formations. Most sedimentary secondary uranium deposits in isolated, easily identifiable, roll fronts or channels that are barren on the top, bottom and sides. When miners sink shafts, as was done in the case in question, they sink the shaft in barren ground adjacent to the mineralization then drive a tunnel horizontally to the

deposit. Further, the volume of uranium bearing materials in a formation represents such a small volume of the total formation as to be almost infinitesimal in percentage.

On your previous visits to the area we have discussed your concerns with you and complied with your recommendations. If you wish to revisit the area and to give us a specific time we will be more than happy to coordinate with you and accompany you to the site. This we would have done had we been able to contact you beforehand.

In conclusion, the material being eroded now is no different from any of the other surface material being eroded in the area from the standpoint of contamination. However, it wont take much of a burm to control what little run off there is from the six inch average rainfall per annum contacting the spoil pile.

In the meantime we will take precautions to prevent the erosion on the north west corner of the spoil pile at the Rio Puerco mine site and inform you accordingly.

Sincerely,

Karl F. Meyers

Karl F. Meyers

cc: Richard B. Addis, Attorney
US EPA