

STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION



IN THE MATTER OF THE PETITION FOR  
ALTERNATIVE ABATEMENT STANDARDS  
FOR THE FORMER ST. ANTHONY MINE,  
CIBOLA COUNTY, NEW MEXICO

WQCC 16-05 (A)

UNITED NUCLEAR CORPORATION,

Petitioner.

**AFFIDAVIT OF CERTIFICATION FOR NOTICE OF PUBLIC HEARING AND  
AFFIDAVITS OF PUBLICATION**

Pursuant to 20.1.3.17 NMAC of the Water Quality Control Commission Adjudicatory Procedures, the Commission Administrator hereby certifies that the Notice of Public Hearing was published in Spanish and English in the Albuquerque Journal and The Cibola Beacon on April 7, 2017. On April 18, 2017, the Commission Administrator distributed a copy of the Notice of Public Hearing via hand delivery, email and U.S. mail to each interested participant who has filed an entry of appearance, and to each person who participated in the Department's permitting proceeding, or who has expressed, in writing to the Department or the Water Quality Control Commission, interest in the matter pursuant to 20.1.3.17(3) NMAC.

A handwritten signature in black ink that reads "Pam Castañeda".

Pam Castañeda, Commission Administrator  
Water Quality Control Commission  
P.O. Box 5469  
Santa Fe, NM 87502  
Phone: (505) 827-2425  
Fax: (505) 827-2836

## Public/Legal Notices

**NEW MEXICO WATER QUALITY CONTROL COMMISSION  
NOTICE OF PUBLIC HEARING TO CONSIDER PETITION FOR  
ALTERNATIVE ABATEMENT STANDARDS FOR THE FORMER  
ST. ANTHONY MINE IN CIBOLA COUNTY, NM, WQCC 16-05(A)**

The New Mexico Water Quality Control Commission (WQCC) will hold a public hearing on May 9, 2017 at the New Mexico State Capitol building in Santa Fe to consider a Petition filed by United Nuclear Corporation for alternative abatement standards under Subsection 20.6.2.4103(F) for the former St. Anthony Mine located on the Cebolleta Land Grant, Cibola County, New Mexico. The affected property area is approximately 1,072 acres located approximately three miles east-southeast of Moquino and approximately 13 miles north of Laguna Pueblo. The St. Anthony Mine is located within Township 11 North, Range 4 and 5 West. The latitude and longitude of the four corners of the affected property area are: the northwest corner, 35.17 degrees north and -107.32 degrees west; the northeast corner 35.17 degrees north and -107.29 degrees west; the southeast corner, 35.15 degrees north and -107.29 degrees west; and the southwest corner, 35.15 degrees north and -107.32 degrees west.

The Petition proposes alternative abatement standards for sulfate, fluoride, boron, uranium, radium, chloride, and total dissolved solids in the affected water-bearing zone of the Jackpile sandstone groundwater. The Petition includes proposed administrative controls to ensure that the affected area of Jackpile sandstone groundwater is not used as a potable water supply going forward. As one of the proposed administrative controls, the Petition contemplates that the New Mexico Environment Department will petition the New Mexico State Engineer to issue an Order under Subsection 19.27.5.13(A), prohibiting construction of wells in the affected property area in the water-bearing zone of the Jackpile sandstone groundwater. The New Mexico Environment Department has recommended that the Commission approve the Petition.

The public hearing will begin immediately following the Commission's regular business meeting, which starts at 9 a.m.

The Petition and the Department's recommendation may be obtained electronically or reviewed in person by contacting:  
Pam Castañeda, Administrator  
1190 S. St. Francis Drive  
PO Box 5469  
Santa Fe, NM 87502  
Tel (505) 827-2425, Fax (505) 827-2836, E-mail pam.castaneda@state.nm.us

The hearing will be conducted in accordance with Section 74-6-4 of the Water Quality Act, the WQCC Adjudicatory Procedures at 20.1.3 NMAC, the Water Quality Regulations at 20.6.2 NMAC, and any Procedural Order or Scheduling Order issued by the WQCC or Hearing Officer. These documents, including a map of the affected property area, are available at <https://www.nm.gov/water-quality-control-commission/wqcc/>, or by contacting the WQCC Administrator.

**Technical Testimony:** In order to present technical testimony at the hearing, a person must file a notice of intent to present technical testimony in WQCC No. 16-05(A) with the WQCC Administrator no later than April 28, 2017 at 5:00 p.m. The notice shall comply with the requirements of 20.1.3.18 NMAC.

**Participation by the General Public:** Any member of the general public may present non-technical testimony at the hearing. No prior notification is required. A member of the general public may submit a written non-technical statement to the WQCC Administrator at any time prior to the close of the hearing.

**Assistance:** If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Pam Castañeda, WQCC Administrator at least 14 days prior to the hearing date at P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone (505) 827-2425 or email [pam.castaneda@state.nm.us](mailto:pam.castaneda@state.nm.us) (TDD or TTY) users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).

Published in the Cibola Beacon April 7, 2017. Invoice #1294e

**COMISIÓN DEL CONTROL DE CALIDAD DEL AGUA DE NUEVO MÉXICO  
AVISO DE AUDIENCIA PÚBLICA PARA CONSIDERAR PETICIÓN PARA  
ESTÁNDARES ALTERNATIVOS DE REDUCCIÓN PARA LA MINA ANTERIOR  
DE ST. ANTHONY EN EL CONDADO DE CIBOLA, NM, WQCC 16-05 (A)**

La Comisión del control de calidad del agua de Nuevo México (WQCC) llevará a cabo una audiencia pública el 9 de mayo de 2017 en el edificio del Capitolio Estatal del estado de Nuevo México para considerar una petición presentada por la Corporación Unida Nuclear para los estándares alternativos de reducción bajo subsección 20.6.2.4103(F) para la mina anterior de St. Anthony situada en la Cebolleta concesión de tierras, condado de Cibola, Nuevo México. El área de propiedad afectada es aproximadamente 1,072 acres ubicado aproximadamente tres millas de este-sureste de Moquino y aproximadamente 13 millas de norte del pueblo de Laguna. La mina de St. Anthony se encuentra en el Municipio 11 Norte, rango 4 y 5 oeste. La latitud y longitud de las cuatro esquinas del área de propiedad afectada son: la esquina del noroeste, 35.17 grados norte y -107.32 grados Oeste; la esquina noreste 35.17 grados norte y -107.29 grados Oeste; la esquina sureste, 35.15 grados norte y -107.29 grados Oeste; y la esquina del sudoeste, 35.15 grados norte y -107.32 grados Oeste.

La petición propone estándares alternativos de reducción de sulfato, fluoruro, boro, uranio, radium, cloruro y sólidos totales disueltos en la zona afectada de acuíferos de agua subterránea de piedra arenisca de Jackpile. La petición incluye controles administrativos propuestos para asegurar que el área afectada de agua subterránea de piedra arenisca Jackpile no es utilizado como un suministro de agua potable en el futuro. Como uno de los controles administrativos propuestos, la petición contempla que el Departamento de medio ambiente de Nuevo México solicitará el ingeniero del estado de Nuevo México para emitir una orden bajo la subsección 19.27.5.13(A), prohibiendo la construcción de pozos en el área de propiedad afectada en la zona de acuíferos de agua subterránea de piedra arenisca de Jackpile. El Departamento de medio ambiente de Nuevo México ha recomendado que la Comisión apruebe la petición.

La audiencia pública comenzará inmediatamente después de la reunión de negocio regular de la Comisión, que comienza a las 9:00a.m.

La petición y recomendación del Departamento se puede obtener electrónicamente o revisada en persona por ponerse en contacto con:  
Pam Castañeda, administrador  
1190 S. St. Francis Drive  
PO Box 5469  
Santa Fe, NM 87502  
Tel (505) 827-2425, Fax (505) 827-2836, correo electrónico: [pam.castaneda@state.nm.us](mailto:pam.castaneda@state.nm.us)

La audiencia se llevará a cabo conforme a la sección 74-6-4 de la Ley de Calidad de Agua, los Procedimientos Decisorios de la WQCC en 20.1.3 NMAC, las Normas de Calidad de Agua en 20.6.2 NMAC y cualquier Orden de Procedimiento o auto de programación emitida por el WQCC o el oficial de audiencia. Estos documentos, incluyendo un mapa de la zona de la propiedad afectada, están disponibles en <https://www.nm.gov/water-quality-control-commission/wqcc/>, o poniéndose en contacto con el administrador de WQCC.

**Testimonio técnico:** Con el fin de presentar testimonio técnico en la audiencia, una persona debe presentar un aviso de intención a presentar testimonio técnico en WQCC No. 16-05(A) con el WQCC administrador no más tarde del 28 de abril de 2017 en 5:00p.m. La notificación deberá cumplir con los requisitos de 20.1.3.18 NMAC.

**Participación del Público General:** Cualquier miembro del público general puede presentar testimonio no técnico en la audiencia. Previa notificación no es necesaria. Un miembro del público general podrá presentar una declaración escrita no técnico al administrador de WQCC en cualquier momento antes del cierre de la audiencia.

**Asistencia:** Si cualquier persona requiere asistencia, un intérprete o ayuda auxiliar a participar en este proceso, póngase en contacto con Pam Castañeda, administrador de WQCC por lo menos 14 días antes de la fecha de la audiencia en P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, Nuevo México, 87502, teléfono (505) 827-2425 o por correo electrónico: [pam.castaneda@state.nm.us](mailto:pam.castaneda@state.nm.us) (TDD o TTY) por favor acceder el número a través de la red de retransmisión de Nuevo México, 1-800-659-1779 (voz); Usuarios de TTY: 1-800-659-8331).

Published in the Cibola Beacon April 7, 2017. Invoice #1294e

## What's Up?

**Bataan Memorial**  
On Friday, April 7 at 2:30, the Cibola County Historical Society and American Legion Post 80 will honor the survivors and the fallen of the Bataan Death March in 1942. This year is the 75th anniversary of the surrender of Allied forces in the Philippines to Japanese troops, and the brutal march into captivity that followed.  
The event will be held at the POW Memorial, at the old county complex on High Street.

**NMSU Grants Talent Show**  
On Friday, April 7 from 6-8 p.m., the third annual NMSU Grants talent Show "Strut Your Stuff" is taking place on campus.  
More info: call 267-NMSU

proceeds go toward the Grants High School MCJROTC program.  
All vehicles welcome.  
Lunch will be served following the run at Post 80.

**Grants Rodeo Horse Health Fair**  
On Saturday, April 8, the Grants Rodeo Association will be having their Annual Horse Health Fair, sponsored by the Airport Animal Clinic. The event will be held at the Grants Rodeo Grounds and will be from 1 to 3 p.m.  
More info: 287-2763.

**4-H Basket Bingo**  
On Saturday, Apr. 8, the Cibola County 4-H will be holding a Basket Bingo from 8 to 7 p.m. at the Knights of Columbus Hall, 1801 Roosevelt Ave. The cost will be \$20 per person which in-

proper receipt and record keeping. There is limited seating and registration is required.  
SBDC is located at 701 E. Roosevelt Ave. in Grants.  
More info: 287-6587.

**Milan Red Hat Hatters Meet**  
On Thursday, April 13 at 11:30 a.m., the Milan Red hat hatters will be meeting for their regular monthly luncheon at the Coyote del Mispais Golf Course Clubhouse. Members are advised to take something funny to the meeting.  
More info: call Helen McCleskey at 287-3462 or 290-1998.

**Ride for Child Abuse Awareness**  
On Saturday, April 15, The American Legion Post 60 will

hosting the 3rd Annual Ride for Child Abuse Awareness, a benefit run Youth Visions, Inc. Registration is from 10-11 a.m. at Brooks Supermart and kickstarts are up at 11 a.m. The Run ends at Post 60 in Milan with lunch and door prizes.  
More info: 287-9470 or 290-9834.

**Uranium Capitol Speedway Basket Bingo**  
On Saturday, April 15, a basket bingo is being held at the Cow Palace to benefit the Uranium Capitol Speedway. Doors open at 5 p.m. and games start at 8 p.m.  
Cost is \$15 or \$20 all night, and 35 special cards will be available. Prizes include a tool basket, UCS season pass basket, and much more.

Hill Park on Santa Fe Avenue at 8 a.m. Trash containers will also be placed all over the Grants area. The locations are as follows: Elm Park, Grants Fire Department Substation, San Jose Park, Grants Police Department, Future Foundations Family Center, Mimbal Park, The Riverwalk Park, the old Knights of Columbus, and Wells Park.  
More info: 287-7927.

**St. Teresa School Lottery Fundraiser**  
On Saturday, April 22, 6 p.m., the 22nd Annual St. Teresa School Lottery Fundraiser will take place at the Knights of Columbus Hall. \$100 ticket includes dinner and dancing for two and entry into the grand prize drawing of \$10,000.  
More info: 240-1688. 287-

the managers are offering a night session in order to accommodate area residents who work during the morning session.  
More info: 287-7927 or 287-9431.

**El Morro Arts Council Renaissance Faire**  
On Saturday, May 6, The El Morro Area Arts Council Old School Gallery, located on Highway 53, mile marker 48, will be having a Renaissance Faire from 11 a.m. to 4 p.m. The Faire will feature a medieval fighting group, craftsmen, a blacksmith, fortune tellers, a healer group performance, and more. Attendees are encouraged to wear their best Renaissance attire.  
More info: 783-4078.

# Albuquerque Journal

Published in the Albuquerque Journal on Friday April 07, 2017

COMISIN DEL CONTROL DE CALIDAD DEL AGUA DE NUEVO Mxico AVISO DE AUDIENCIA PBLICA PARA CONSIDERAR PETICIN PARA ESTNDARES ALTERNATIVOS DE REDUCCIN PARA LA MINA ANTERIOR DE ST. ANTHONY EN EL CONDADO DE CBOLA, NM, WQCC 16-05 (A) La Comisin del control de calidad del agua de Nuevo Mxico (WQCC) llevar a cabo una audiencia pblica el 9 de mayo de 2017 en el edificio del Capitolio Estatal del estado de Nuevo Mxico para considerar una peticin presentada por la Corporacin Unida Nuclear para los estndares alternativos de reduccin bajo subseccin 20.6.2.4103(F) para la mina anterior de St. Anthony situada en la Cibolleta concesin de tierras, condado de Cbola, Nuevo Mxico. El rea de propiedad afectada es aproximadamente 1,072 acres ubicado aproximadamente tres millas de este-sureste de Moquino y aproximadamente 13 millas de norte del pueblo de Laguna. La mina de St. Anthony se encuentra en el Municipio 11 Norte, rango 4 y 5 oeste. La latitud y longitud de las cuatro esquinas del rea de propiedad afectada son: la esquina del noroeste, 35.17 grados norte y -107.32 grados Oeste; la esquina noreste 35.17 grados norte y -107.29 grados Oeste; la esquina sureste, 35.15 grados norte y -107.29 grados Oeste; y la esquina del sudoeste, 35.15 grados norte y -107.32 grados Oeste. La peticin propone estndares alternativos de reduccin de sulfato, fluoruro, boro, uranio, radium, cloruro y slidos totales disueltos en la zona afectada de acuferos de agua subterrea de piedra arenisca de Jackpile. La peticin incluye controles administrativos propuestos para asegurar que el rea afectada de agua subterrea de piedra arenisca Jackpile no es utilizado como un suministro de agua potable en el futuro. Como uno de los controles administrativos propuestos, la peticin contempla que el Departamento de medio ambiente de Nuevo Mxico solicitara el ingeniero del estado de Nuevo Mxico para emitir una orden bajo la subseccin 19.27.5.13(A), prohibiendo la construccion de pozos en el rea de propiedad afectada en la zona de acuferos de agua subterrea de piedra arenisca de Jackpile. El Departamento de medio ambiente de Nuevo Mxico ha recomendado que la Comisin aprueba la peticin. La audiencia pblica comenzar inmediatamente despues de la reunin de negocio regular de la Comisin, que comienza a las 9:00a.m. La peticin y recomendacin del Departamento se puede obtener electrnicamente o revisados en persona por ponerse en contacto con: Pam Castaeda, administrador 1190 S. St. Francis Drive PO Box 5469 Santa Fe, NM 87502 Tel (505) 827-2425, Fax (505) 827-2836, correo electronico: pam.castaneda@state.nm.us La audiencia se llevar a cabo conforme a la seccion 74-6-4 de la Ley de Calidad de Agua, los Procedimientos Decisorios de la WQCC en 20.1.3 NMAC, las Normas de Calidad de Agua en 20.6.2 NMAC y cualquier Orden de Procedimiento o auto de programacin emitida por el WQCC o el oficial de audiencia. Estos documentos, incluyendo un mapa de la zona de la propiedad afectada, estn disponibles en <https://www.env.nm.gov/water-quality-control-commission/wqcc/>, o poniendose en contacto con el administrador de WQCC. Testimonio tecnico: Con el fin de presentar testimonio tecnico en la audiencia, una persona debe presentar un aviso de intencin a presentar testimonio tecnico en WQCC no. 16-05(A) con el WQCC administrador no ms tarde del 28 de abril de 2017 en 5:00p.m. La notificacin deber cumplir con los requisitos de

20.1.3.18 NMAC. Participacin del Pblico General: Cualquier miembro del pblico general puede presentar testimonio no tnico en la audiencia. Previa notificacin no es necesaria. Un miembro del pblico general podr presentar una declaracin escrita no tnico al administrador de WQCC en cualquier momento antes del cierre de la audiencia. Asistencia: Si cualquier persona requiere asistencia, un intrprete o ayuda auxiliar a participar en este proceso, pngase en contacto con Pam Castaeda, administrador de WQCC por lo menos 14 das antes de la fecha de la audiencia en P.O. Box 5469, 1190 St Francis Drive, Santa Fe, Nuevo Mxico, 87502, telefono (505) 827-2425 o por correo electrnico: [pam.castaneda@state.nm.us](mailto:pam.castaneda@state.nm.us). Los usuarios (TDD o TTY) por favor acceder el nmero a travs de la red de retransmisin de Nuevo Mxico, 1-800-659-1779 (voz); Usuarios de TTY: 1-800-659-8331). Journal: April 7, 2017

# Albuquerque Journal

**Published in the Albuquerque Journal on Friday April 07, 2017**

**NEW MEXICO WATER QUALITY CONTROL COMMISSION NOTICE OF PUBLIC HEARING TO CONSIDER PETITION FOR ALTERNATIVE ABATEMENT STANDARDS FOR THE FORMER ST. ANTHONY MINE IN CIBOLA COUNTY, NM, WQCC 16-05(A)** The New Mexico Water Quality Control Commission (WQCC) will hold a public hearing on May 9, 2017 at the New Mexico State Capitol building in Santa Fe to consider a Petition filed by United Nuclear Corporation for alternative abatement standards under Subsection 20.6.2.4103(F) for the former St. Anthony Mine located on the Cebolleta Land Grant, Cibola County, New Mexico. The affected property area is approximately 1,072 acres located approximately three miles east-southeast of Moquino and approximately 13 miles north of Laguna Pueblo. The St. Anthony Mine is located within Township 11 North, Range 4 and 5 West. The latitude and longitude of the four corners of the affected property area are: the northwest corner, 35.17 degrees north and -107.32 degrees west; the northeast corner 35.17 degrees north and -107.29 degrees west; the southeast corner, 35.15 degrees north and -107.29 degrees west; and the southwest corner, 35.15 degrees north and -107.32 degrees west. The Petition proposes alternative abatement standards for sulfate, fluoride, boron, uranium, radium, chloride, and total dissolved solids in the affected water-bearing zone of the Jackpile sandstone groundwater. The Petition includes proposed administrative controls to ensure that the affected area of Jackpile sandstone groundwater is not used as a potable water supply going forward. As one of the proposed administrative controls, the Petition contemplates that the New Mexico Environment Department will petition the New Mexico State Engineer to issue an Order under Subsection 19.27.5.13(A), prohibiting construction of wells in the affected property area in the water-bearing zone of the Jackpile sandstone groundwater. The New Mexico Environment Department has recommended that the Commission approve the Petition. The public hearing will begin immediately following the Commission's regular business meeting, which starts at 9 a.m. The Petition and the Department's recommendation may be obtained electronically or reviewed in person by contacting: Pam Castaneda, Administrator 1190 S. St. Francis Drive PO Box 5469 Santa Fe, NM 87502 Tel (505) 827-2425, Fax (505) 827-2836, E-mail: [pam.castaneda@state.nm.us](mailto:pam.castaneda@state.nm.us) The hearing will be conducted in accordance with Section 74-6-4 of the Water Quality Act, the WQCC Adjudicatory Procedures at 20.1.3 NMAC, the Water Quality Regulations at 20.6.2 NMAC, and any Procedural Order or Scheduling Order issued by the WQCC or Hearing Officer. These documents, including a map of the affected property area, are available at <https://www.env.nm.gov/water-quality-control-commission/wqcc/>, or by contacting the WQCC Administrator. **Technical Testimony:** In order to present technical testimony at the hearing, a person must file a notice of intent to present technical testimony in WQCC No. 16-05(A) with the WQCC Administrator no later than April 28, 2017 at 5:00 p.m. The notice shall comply with the requirements of 20.1.3.18 NMAC. **Participation by the General Public:** Any member of the general public may present non-technical testimony at the hearing. No prior notification is required. A member of the general public may submit a written non-technical statement to the WQCC Administrator at any time prior

to the close of the hearing. Assistance: If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Pam Castaneda, WQCC Administrator at least 14 days prior to the hearing date at P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone (505) 827-2425 or email [pam.castaneda@state.nm.us](mailto:pam.castaneda@state.nm.us). (TDD or TTY) users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331). Journal: April 7, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the **Affidavit of Certification for Notice of Public Hearing and Affidavits of Publication** was sent to the following parties on April 18, 2017, via the stated methods below:

Via hand delivery and email:

Annie Maxfield  
Office of General Counsel  
New Mexico Environment Department  
121 Tijeras Avenue NE, Suite 1000  
Albuquerque, New Mexico 87102  
Email: [Annie.Maxfield@state.nm.us](mailto:Annie.Maxfield@state.nm.us)  
*Counsel for the New Mexico Environment Department*

Via email and First Class U.S. Mail:

Jon J. Indall  
Comeau, Maldegen, Templeman & Indall, LLP  
Post Office Box 669  
Santa Fe, New Mexico 87594-0669  
Email: [jindall@cmtisantafe.com](mailto:jindall@cmtisantafe.com)  
*Counsel for Petitioner United Nuclear Corporation*

John Grubestic  
Office of the Attorney General  
Post Office Drawer 1508  
Santa Fe, New Mexico 87504-1508  
Email: [jgrubestic@nmag.gov](mailto:jgrubestic@nmag.gov)  
*Counsel for the Water Quality Control Commission*

  
\_\_\_\_\_  
Pam Castañeda, Commission Administrator