

STATE OF NEW MEXICO

ENVIRONMENTAL IMPROVEMENT DIVISION
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February 8, 1982

Mr. James Rosel
Ranchers Exploration and Development Corporation
Box 6217, 1776 Montano Road
Albuquerque, New Mexico 87197



Dear Mr. Rosel:

This letter responds to your letter of January 14, 1982 which places conditions, limitations and restrictions on the post-operational monitoring proposal submitted to Ranchers by the Environmental Improvement Division on December 8, 1981.

In response to point #3, page 3 of your January 14, 1982 letter: The purpose of post-operational monitoring of the Johnny M Mine is to gather data which will aid in developing procedures and requirements for regulating other tailings backfill operations. Data gathered by the EID in the course of this investigation shall not be used against Ranchers in any criminal case, except for perjury or for giving false statements. The EID does not expect Rancher's operation to cause the water quality standards of Part 3-103 of the Water Quality Control Commission Regulations to be violated at any place of withdrawal for present or reasonable foreseeable future use.


The EID recognizes that mine backfill with tailings material is an innovative process and that Ranchers has fully cooperated in the operational monitoring program. The primary purpose of this post-operational monitoring program is to further the understanding of the water quality impacts of uranium mill tailings backfilling and not enforcement. If this study demonstrates that applicable WQCC Regulations have been violated or that as defined in the Water Quality Act § 74-6-2 B., NMSA 1978, water pollution has resulted due to your activities, the EID will do everything in its power to cooperate with Ranchers in the abatement of the pollution prior to instituting civil enforcement action.

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In response to point #4 of your January 14, 1982 letter: The EID appreciated the access to the north vent hole. Of course, the more data we collect, the more thorough the investigations will be. The EID will discuss with Ranchers the possibility of more access to the mine workings.

Sincerely,



THOMAS E. BACA
Director

TEB:RTH:rr
Enc.

CC: William Bennett - EID District I
Gerald Stewart, Radiation-Uranium Licensing
Ray Madson - EID Milan Office