

STATE OF NEW MEXICO

ENVIRONMENTAL IMPROVEMENT DIVISION

P.O. Box 968, Santa Fe, New Mexico 87503

(505) 827-5271

Thomas E. Baca, M.P.H., Director

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SECRETARY

Larry J. Gordon, M.S., M.P.H.
DEPUTY SECRETARY

October 14, 1980

CERTIFIED MAIL #618827
RETURN RECEIPT REQUESTED

Thomas F. Bailey
President
UNC MINING AND MILLING
Post Office Box 3951
Albuquerque, New Mexico 87190

Dear Mr. Bailey:

On October 7, 1980, a show cause hearing was held before the Environmental Improvement Division of the New Mexico Health and Environment Department (EID) to consider whether UNC Mining and Milling's extension of time to submit an approved discharge plan and to operate its Church Rock uranium mill without an approved discharge plan, should be declared null and void.

As a result of the hearing and after reviewing the record in this matter, I make the following determinations:

1. On August 8, 1980, pursuant to Section 3-106.A. of the Water Quality Control Commission Regulations, EID granted UNC an extension of time until November 30, 1980, to submit a discharge plan and to continue discharging without an approved plan. That extension of time was requested by UNC by letter dated July 16, 1980. Good cause to grant the extension was shown by UNC at a meeting between UNC staff and consultants and EID staff held August 5, 1980 and in a letter from UNC dated August 5, 1980.
2. By letter dated October 3, 1980, EID informed UNC that EID had reason to believe that UNC had violated the conditions of the August 8, 1980 extension. A hearing was scheduled for October 10, 1980 for UNC to show cause why the August 8, 1980 extension should not be declared null and void. The hearing was rescheduled to October 7, 1980 at the request of UNC.
3. At the hearing held October 7, 1980, UNC showed good cause why the

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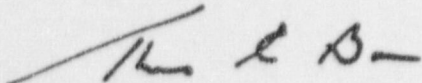
Letter to Thomas F. Bailey

October 14, 1980

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extension of time until November 30, 1980 should not be declared null and void; therefore, the extension remains in effect until November 30, 1980.

Sincerely,

A handwritten signature in dark ink, appearing to read 'T. E. Baca', with a horizontal line extending to the right.

THOMAS E. BACA
Director

TEB:LWR:MSG/lq

cc: Maxine S. Goad, EID Ground Water Section
Gerald Stewart, EID Radiation Section
William Bennett, EID District I
Carl Woolfolk, EID, Milan
G. Stanley Crout, Esq.