

From: [Yu, Olivia, EMNRD](#)
To: John.Wierzowiecki@blackmtn.com; [Naranjo, Mark](#)
Cc: ["Robbie Runnels"](#); [Billings, Bradford, EMNRD](#)
Subject: Backfill approval for 1RP-4675 and stipulations
Date: Wednesday, February 7, 2018 1:31:00 PM

Dear Mr. Wierzowiecki:

After considerable discussions, NMOCD will grant backfill approval for the excavated area without additional laboratory analyses of confirmation samples. However, please be advised that based on the information and data provided, closure of 1RP-4675 will not be granted.

NMOCD requests that photo documentation of remedial activities and of the backfilled areas and an appropriately scaled map be submitted along with the remediation/closure report. The map must have these items clearly demarcated: 1) width and dimensions of the excavation; and 2) areas to be deferred for completed delineation and remediation at time of abandonment or retrofit (e.g., west walls of areas 1 and 2).

For like approvals as well as revegetation requirements, Mark Naranjo will be the correspondent for NMSLO in the interim.

Please confirm or inform for clarifications.

Thanks,

Olivia Yu
Environmental Specialist
NMOCD, District I
Olivia.yu@state.nm.us
575-393-6161 x113

OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.