

From: [VanHeerden, Arnand](#)
To: [Eustice, Chris, EMNRD](#)
Subject: RE: Termination Report question
Date: Tuesday, January 21, 2014 8:54:03 AM

Thanks Chris,

This is much appreciated. I would also like to thank you and MMD for all the guidance and assistance during the project. It was a pleasure working with and meeting you.

Kind Regards,
Arnand

Arnand van Heerden, PGeo | Principal Geologist – Qualified Person
Phone: 720.357.9075 | Direct: 720-407-1576 | Fax: 303.217.5705
arnand.vanheerden@tetrattech.com

Tetra Tech | Complex World, CLEAR SOLUTIONS™
350 Indiana Street, Suite 500 | Golden, CO 80401 | www.tetrattech.com

PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

From: Eustice, Chris, EMNRD [<mailto:chris.eustice@state.nm.us>]
Sent: Tuesday, January 21, 2014 8:49 AM
To: VanHeerden, Arnand
Subject: RE: Termination Report question

Arnand,

Thanks for the prompt response. Based upon your response/description the reclamation was done to MMD's satisfaction. I appreciate you're and Tetra Tech's professionalism. MMD will be working with the operator to release and/or re-assign the financial assurance.

Chris Eustice
1220 South St. Francis Dr.
Santa Fe, NM 87505
(505) 476-3438

From: VanHeerden, Arnand [<mailto:Arnand.VanHeerden@tetrattech.com>]
Sent: Friday, January 17, 2014 4:43 PM
To: Eustice, Chris, EMNRD
Subject: RE: Termination Report question

Hi Chris,

Thanks for the questions and hopefully my response will be satisfactory.

For the first question, I think you are aware that this site was previously drilled by another operator and the main purpose of Tetra Tech's drilling was to do confirmatory drilling of historical drill data. All holes drilled by Tetra Tech was 5.25 inches in diameter, compared to the ones in the pictures, which are 3.25 inches. Tetra Tech only drilled 10 holes and all 10 holes were back-filled and plugged as indicated in the report. The four open holes you refer to below (and in your pictures) was from the historical drill program.

As for the second question, you've construed the situation perfectly. To backfill about 20 feet of drilling (2 feet x 10 holes) would have required almost 450lb's of local material. Since all drill holes were cased on the already disturbed road surface in solid bedrock, and very little appropriate fraction sized material was randomly available, the call was made to plug to the top. Very little to almost no site preparation was done for all 10 holes, so we did not have locally available material to top-fill (It was my understanding that the top-fill for the final 2 feet is supposed to be sourced from the material moved to prepare the drill site?). The only place where we could have sourced appropriate fraction size material for top-filling, would have been from virgin/undisturbed areas surrounding the road/tracks, and I did not think it appropriate to wreck a section of undisturbed vegetation to top-fill holes on an already disturbed surface.

I hope I answered these questions satisfactory and please do let me know if you require anything else?

Kind Regards,
Arnand

Arnand van Heerden, PGeo | Principal Geologist – Qualified Person
Phone: 720.357.9075 | Direct: 720-407-1576 | Fax: 303.217.5705
arnand.vanheerden@tetrattech.com

Tetra Tech | Complex World, CLEAR SOLUTIONS™
350 Indiana Street, Suite 500 | Golden, CO 80401 | www.tetrattech.com

PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

From: Eustice, Chris, EMNRD [<mailto:chris.eustice@state.nm.us>]
Sent: Friday, January 17, 2014 3:32 PM
To: VanHeerden, Arnand
Subject: Termination Report question

Arnand,

I received and reviewed the termination report for the BOW drilling that was submitted to MMD

January 10, 2014. Furthermore, MMD conducted a site visit to confirm the termination. I have a couple of questions.

1. MMD found four open drill holes, one located on the road between drill holes 5 and 10, and three located on top of the knoll in the middle of the project area. Did Tetra Tech drill these and leave them open/unplugged? See attached photos.
2. The termination report states “efforts were taken at completion to return the site to its original conditions” The Permit language requires the top two feet of the drill holes to be filled with soil. The plugged holes were plugged to the top with concrete. QUESTION: is that because there was not soils and the drill holes were on road/bedrock? This will not be considered a violation, I just need to keep the administrative record clear/transparent.

Your responses would be appreciated and considered attachments to the termination report.

The work reclamation was done well and MMD appreciates you keeping us informed in a timely and concise fashion.

Feel free to contact me if you need to discuss.

Chris Eustice
Sr. Environmental Engineer/Geologist
1220 South St. Francis Dr.
Santa Fe, NM 87505
(505) 476-3438