



Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

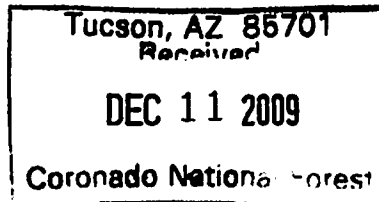
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Benjamin H. Grumbles
Director

December 9, 2009

Teresa Ann Ciapusci
Cooperating Agency Liaison
Coronado National Forest
300 W. Congress St.
Tucson, AZ 85701



RE: Rosemont Copper Project – ADEQ Response to Supporting Documentation Request

Dear Ms. Ciapusci:

Thank you for the letter from Jeanine Derby, Forest Supervisor, Coronado National Forest, dated November 23, 2009, requesting a list of: 1) mitigation measures; 2) planned or completed studies related to the subject mine project; and 3) technical reports to be relied upon when issuing permits. The Arizona Department of Environmental Quality (ADEQ), as a state cooperating agency with the Coronado National Forest in the NEPA process for the subject project, provides a brief response to the three items requested, with attachments.

A list of mitigation measures (i.e., permit terms and conditions that would be included in permit(s) or similar regulatory or authorizing instruments if the Rosemont Copper Project mining proposal were implemented – Groundwater in Arizona is protected for drinking water use through permitting in the Aquifer Protection Program (APP) (A.R.S. § 49-241. et seq.). Two recent mining APP permits (“Carlota_Other amendment_101008.pdf” and “Mineral_Park_mine_final_permit 5-09.pdf”), recorded on the enclosed CD, and are provided as examples. The permits follow a standardized format, composed of six parts, setting forth the permittee’s requirements to reduce or eliminate the potential for discharge of pollutants to the aquifer through the employment of Best Available Demonstrated Control Technology (BADCT) and monitoring at one or more Points of Compliance (POC). Parts 1 and 2 contain standardized, or framework, language stipulating the following conditions:

- BADCT for individually identified discharging facilities (including engineering design, operational and pre-operational requirements, and site characteristics);
- Discharge limitations;
- Monitoring requirements (typically includes groundwater monitoring and activities related to the facility that may impact groundwater);
- Contingency planning (including alert level exceedances, discharge limitation violations, aquifer quality limit violations, emergency response and contingency requirements for unauthorized discharges and corrective actions in response to an exceedance or violation of a permit condition);
- Reporting and recordkeeping requirements;
- Temporary cessation and
- Closure and post-closure requirements.

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Compliance schedules (Part 3) are also common in mining APP permits, which may require supplemental technical information to be submitted during a short time frame commencing with the department's official authorization of the permit. Part 4 contains site-specific monitoring tables. All APP permits have a set of standardized conditions, set forth in Part 6.

The proposed Rosemont Copper mine must also obtain coverage under a surface water general permit that regulates stormwater discharges associated with industrial activity or Multi-sector General Permit (MSGP). The stormwater program is regulated by the Arizona Pollutant Discharge Elimination System (AZPDES) program. The most recent MSGP expired October 30, 2005. Until the MSGP 2000 is replaced, operators of new facilities, such as Rosemont, will be advised to prepare a stormwater pollution prevention plan and implement the control measures of EPA's new MSGP 2008. ADEQ plans to use its enforcement discretion for those without coverage. Copies of the MSGP 2000 and MSGP 2008 are provided on the enclosed CD. The MSGP has a general section that applies to all covered facilities as well as sector-specific requirements, namely Sector G for Metal Mining (Ore Mining and Dressing). Additional information, as well as the latest draft of ADEQ's MSGP 2010 can be downloaded at <http://www.azdeq.gov/environ/water/permits/msgp.html>.

A list of studies completed or planned by ADEQ that will be relied upon to issue an authorizing or regulatory permit – Broadly speaking, for any metal mine that seeks coverage under the APP program, this list comprises two things; the APP permit application (referenced in Part 5 of every APP permit) and a substantive policy document entitled, "Arizona Mining BADCT Guidance Manual" publication TB 04-01 (see enclosed CD).

A list of technical reports or similar references the department would rely upon in issuing an authorizing or regulatory permit – The enclosed CD contains a list of all documents ("Rosemont Mine DOCLOG.doc") related to the APP process for the subject mine project. The list is a document tracking log of every piece of correspondence sent or received by the department; it includes the entire list of documents submitted in support of Augusta Resources' APP application for their proposed Rosemont Mine, as well as ADEQ technical deficiency letters and Augusta Resources' responses. All of these documents are a matter of public record and are on file at the Pima County Public Library, 101 North Stone Avenue, Tucson, AZ.

ADEQ appreciates this opportunity to contribute to the analysis phase of the NEPA process for the Rosemont Copper Project.

Sincerely,



Dennis L. Turner, Surface Water Programs Consultant
Surface Water Section, Water Quality Division

Enclosure

- c. Steve Vevang, Project Mgr., APP & Drywell Unit, w/o enclosure
- Christina Silva, Records Management Center, w/ enclosure

Correspondence Log – Rosemont Mine Aquifer Protection Permit Master File – Inventory # 106100 Page 1 of 3

Date:	To:	Representing:	From:	Representing:	Contents:
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	APP Submittal
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Aquifer Protection Permit Application Volume 1
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Aquifer Protection Permit Application Volume 2
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Aquifer Protection Permit Application Volume 3
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Aquifer Protection Permit Application Volume 4
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Aquifer Protection Permit Application Volume 5
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	DVD containing APP Application Volumes 1 through 5
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Baseline Geochemical Characterization, Tetra Tech 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Dry Tailings Design, Tetra Tech, 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Feasibility Study Volume 1 NI 43-101 Technical Report, M3 Engineering and Technology, August 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Feasibility Study Volume 1 NI 43-101 Technical Report, M3 Engineering and Technology, January 2009
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Geochemical Characterization Addendum 1, Tetra Tech, June 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Geologic Hazards Assessment, Tetra Tech, June 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Geotechnical Study, Tetra Tech, June 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Groundwater Protection Plan, Tetra Tech, June 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Leaching Facilities Design, Tetra Tech, June 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Mine Plan of Operations, Westland Resources, Inc July 2007

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Date:	To:	Representing:	From:	Representing:	Contents:
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Reclamation and Closure Plan, Tetra Tech, July 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Rosemont Project Response to Forest Service Comments, Volume 1 Rosemont Copper, 2008
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Rosemont Project Response to Forest Service Comments, Volume 2 Rosemont Copper, 2008
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Site Water Management Plan, Tetra Tech, June 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Supporting Documents Volume 1 Tetra Tech 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Supporting Documents Volume 2 Tetra Tech 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Supporting Documents Volumes 3 Tetra Tech 2007
2/27/09	Michele Robertson	ADEQ	Kathy Arnold	Rosemont Copper	Waste Management Plan, Tetra Tech, June 2007
3/30/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Geotechnical Addendum Volume 1, Tetra Tech, Feb 2009
3/30/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Geotechnical Addendum Volume 2, Tetra Tech, Feb 2009
3/30/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Geotechnical Addendum Volume 3, Tetra Tech, Feb 2009
3/30/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	CD Containing Geotechnical Addendums Volume 1,2, 3 Tetra Tech, Feb 2009
3/30/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Results of Phase 2 Hydrogeologic Investigations and Monitoring Program Rosemont Project, Pima County, Arizona Volume 1, Errol L Montgomery & Associates, Feb 2009
3/30/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Results of Phase 2 Hydrogeologic Investigations and Monitoring Program Rosemont Project, Pima County, Arizona Volume 2, , Errol L Montgomery & Associates, Feb 2009
3/30/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	CD containing Results of Phase 2 Hydrogeologic Investigations and Monitoring Program Rosemont Project, Pima County, Arizona Volumes 1, 2, , Errol L Montgomery & Associates, Feb 2009
4/8/09	Kathy Arnold	Rosemont Copper	Steve Vevang	ADEQ	Notice of Administrative Deficiency Letter
5/7/09	Steve Vevang	ADEQ	Kathy Arnold	ADEQ	Response to Notice of Administrative Deficiencies
5/7/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Process Water Pond, Temporary Storage Pond and Settling Basin Design Report, M3 Engineering & Technology, May 2009
5/7/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	CD containing the Process Water Pond, Temporary Storage Pond and Settling

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Date:	To:	Representing:	From:	Representing:	Contents:
					Basin Design Report, M3 Engineering & Technology, May 2009
5/7/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Dry Stack Tailings Storage Facility – Final Desing Report Volume 1, AMEC Earth & Environmental, Inc, April 2009
5/7/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Dry Stack Tailings Storage Facility – Final Desing Report Volume 2, AMEC Earth & Environmental, Inc, April 2009
5/7/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	CD containing the Dry Stack Tailings Storage Facility – Final Desing Report Volume 1-2, AMEC Earth & Environmental, Inc, April 2009
5/7/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	Replacement Pages for the APP Application for the Rosemont Copper Project Volume 1, Tetra Tech, February 2009
5/7/09	Steve Vevang	ADEQ	Jamie Joggerst	Tetra Tech	DVD Containing Replacement Pages for the APP Application for the Rosemont Copper Project Volume 1, Tetra Tech, February 2009
5/8/09	Steve Vevang	ADEQ	David Krizek	Tetra Tech	Heap Leach Facility Permit Design Report, Volume 1, Tetra Tech, May 2009
5/8/09	Steve Vevang	ADEQ	David Krizek	Tetra Tech	Heap Leach Facility Permit Design Report, Volume 2, Tetra Tech, May 2009
5/8/09	Steve Vevang	ADEQ	David Krizek	Tetra Tech	CD Containing the Heap Leach Facility Permit Design Report, Volume 1-2, Tetra Tech, May 2009
8/13/09	Steve Vevang	ADEQ	Kathy Arnold	Rosemont Copper	CD Containing the Analysis of Long-Term, Multi-Well Aquifer Test November 2008 through January 2009, Rosemont Project, Pima Co, AZ Errol L. Montgomery & Associates, Inc. May 21, 2009
8/13/09	Steve Vevang	ADEQ	Kathy Arnold	Rosemont Copper	Analysis of Long-Term, Multi-Well Aquifer Test November 2008 through January 2009, Rosemont Project, Pima Co, AZ Errol L. Montgomery & Associates, Inc. May 21, 2009
10/8/09	Kathy Arnold	Rosemont Copper	Steve Vevang	ADEQ	Initial Hydrology Review for Rosemont Copper Operations, October 8, 2009