



State of Utah

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DIVISION OF WATER QUALITY
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December 8, 2021

DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE OF INTENT TO ISSUE PERMIT
UNDERGROUND INJECTION CONTROL CLASS III AREA PERMIT
IN SITU COPPER RECOVERY

PURPOSE OF PUBLIC NOTICE

THE UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) DIVISION OF WATER QUALITY (DWQ) IS SOLICITING COMMENTS ON A PORTION OF THE UNDERGROUND INJECTION CONTROL (UIC) CLASS III PERMIT (HEREAFTER REFERRED TO AS PERMIT) AS DESCRIBED BELOW. AS PART OF THE PERMIT, LISBON VALLEY MINING COMPANY (LVMC) REQUIRES AN AQUIFER EXEMPTION FOR A PORTION OF THE BC AQUIFER (INCLUDES DAKOTA AND BURRO CANYON FORMATIONS) WHERE IT INTENDS TO CONDUCT OPERATIONS. THE DIVISION PREVIOUSLY PUBLISHED A PUBLIC NOTICE OF THE DRAFT PERMIT AND DRAFT APPROVAL OF THIS EXEMPTION PURSUANT TO AQUIFER EXEMPTION CRITERIA IN TITLE 40 OF THE CODE OF FEDERAL REGULATIONS (CFR) § 144.7 AND 40 CFR § 146.4.

AFTER REVIEWING THE PUBLIC COMMENTS ON THE PERMIT AND THE FACT SHEET STATEMENT OF BASIS (FSSOB), AND ASSOCIATED DOCUMENTS IN THE PERMIT RECORD, DWQ HAS AMENDED AND IS MAKING AVAILABLE FOR A SECOND PUBLIC NOTICE AND COMMENT PERIOD TWO ASPECTS OF THE PERMIT: (1) THE PROPOSED AQUIFER EXEMPTION REQUEST (PERMIT ATTACHMENT M) AND (2) THE PROPOSED FINANCIAL ASSURANCE MECHANISM (PERMIT ATTACHMENT J). SPECIFICALLY, THE DWQ REQUESTED THAT THE OPERATOR OBTAIN AND PROVIDE A THIRD-PARTY FINANCIAL ASSURANCE ESTIMATE FOR THE FINANCIAL ASSURANCE THAT RESULTED IN A REVISED AMOUNT FOR POST OPERATION CLOSURE OF FACILITIES ASSOCIATED WITH THE PERMIT. IN ADDITION, THE DWQ HAS REVISED THE AQUIFER EXEMPTION REQUEST TO MORE CLEARLY OUTLINE THE BASIS FOR APPROVAL OF THE EXEMPTION REQUEST. THE MODIFIED ELEMENTS OF THE PERMIT (ATTACHMENTS M AND J) ARE OPEN FOR PUBLIC COMMENT. THE AQUIFER EXEMPTION IS ALSO SUBJECT TO APPROVAL BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) FOLLOWING PUBLIC COMMENT.

THE PERMIT IS ISSUED BY THE DIRECTOR OF DWQ UNDER AUTHORITY OF THE UTAH WATER QUALITY ACT, UTAH CODE SECTION 19-5-106(G), AS AMENDED AND UTAH ADMINISTRATIVE CODE R317-7.

PERMIT INFORMATION

PERMITTEE NAME: Lisbon Valley Mining Co., LLC (LVMC)
FACILITY LOCATION: Lisbon Valley, San Juan County
MAILING ADDRESS: PO Box 248, La Sal, UT 84532
TELEPHONE NUMBER: (435) 686-9950
FACILITY LOCATION: South Central San Juan County, Utah about 20 miles north northeast of Monticello and east of highway 191.
UIC AREA PERMIT NO.: UTU-37-AP-5D5F693

BACKGROUND

The Lisbon Valley Mine is currently an existing open pit heap leach copper mine and processing facility owned and operated by LVMC and is seeking a UIC Class III Area Permit to construct and operate Class III in-situ copper recovery injection wells in south central San Juan County, Utah. This permit will allow LVMC to continue extraction of copper from ore within mineralized zones of a portion of the BC Aquifer (including the Dakota and Burro Canyon Formations) generally between 200 and 900 feet below the ground's surface in Lower Lisbon Valley. These resources are currently uneconomical to develop using open pit mining methods and LVMC is planning to extend the life of the Lisbon Valley Mine by adopting in situ copper recovery technology. The permit requires the operator to utilize best available technology in the construction, operation and closure of the in situ copper recovery facilities. It also provides for the monitoring of ground water and requires the operator to monitor the perimeter of the wellfield both laterally and beneath. Wellfield closure will follow copper recovery operations to restore groundwater quality by rinsing and plugging and abandonment of injection and recovery wells.

PUBLIC COMMENTS

Public comments on the amended permit attachments are invited any time prior to the deadline of the close of business on **February 8, 2022**. Written public comments can be submitted to: Drummond Earley, UIC Program, Utah Division of Water Quality, PO Box 144870, Salt Lake City, Utah 84114-4870 or by email at: dearley@utah.gov. After considering public comment the DWQ may execute the permit issuance, revise it, or abandon it. The permit is available for public review under "Public Notices" at www.waterquality.utah.gov. The site may be reached directly at: <https://deq.utah.gov/public-notices-archive/water-quality-public-notices>. If internet access is not available, a copy may be obtained by calling Drummond Earley at 801-536-4088.