



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WATER QUALITY
John K. Mackey, P.E.
Director

December 29, 2022

Timothy Gribben
Process Control Manager
US Magnesium
VIA EMAIL
READ RECEIPT REQUESTED

Subject: US Magnesium Canal Continuation Project
Denial Section 401 Water Quality Certification
Certification Decision No.: DWQ-2022-08001

Dear Mr. Gribben,

On August 30, 2022, the Utah Department of Environmental Quality, Division of Water Quality (“DWQ”), received a Clean Water Act (“CWA”) Section 401 Water Quality Certification (“401 WQC”) request for the U.S. Magnesium Canal Continuation project (“proposed project”) in Tooele County, Utah.

The Director denies the 401 WQC for the proposed project. The Director requires additional information in order to make a certifying decision. The additional information required is detailed in the attached. This denial does not preclude U.S. Magnesium, LLC from resubmitting a new certification request once the additional information is gathered.

Enclosed you will find the Denial of the 401 WQC for the proposed project. If you have any questions about the attached draft certification decision, please contact Leanna Littler-Woolf at (801) 536-4397 or lnlittler@utah.gov.

Sincerely,

John K. Mackey

John K. Mackey, PE
Director, Division of Water Quality

Enclosures: 1. Certification Decision No. DWQ-2022-08001 (DWQ-2022-032454)

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Cc: Via Email w/Enclosures

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Karen Nichols, HDR Inc.

William Pope, HDR Inc.

Bryan Slade, Tooele County Health Department

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DWQ-2022-032454

FILE: 401 Cert