

**RFI 158
Pebble Project EIS**

Request for Information

Title/Subject:	Feedback on Permitting for Discharge of Process Water at Port Sites
Requestor:	USACE
Date Transmitted:	12/13/2019
Recipient:	State of Alaska, Department of Environmental Conservation
Response Requested by:	12/30/2019
Rationale:	An action item from Day 3 of the technical meetings with cooperating agencies was captured for ADEC and EPA to collaborate on permitting of concentrate pipeline water discharge and concentrate container wash water (SOCs 379 and 380) and provide feedback to USACE regarding whether or not the discharge of process water at port sites would be permissible. This information is needed for disclosure in the EIS.
Describe the Information Requested and Level of Detail:	<p>EPA's position is that container wash water (all alternatives) and concentrate pipeline water discharge (Alternative 3 concentrate pipeline variant) would be mine process water, and as such, would not be an allowable discharge at the port sites under the CWA and the National Pollutant Discharge Elimination System (NPDES) regulations (see 40 CFR 440 Subparts J and L).</p> <p>RFI 066 (PLP 2018-RFI 066) presents PLP's position that the US Environmental Protection Agency's (EPA's) CWA New Source Performance Standards Effluent Limitation Guidelines do not prohibit the discharge of the concentrate filtrate at the port site.</p> <p>Please consider all positions and indicate if these treated process water discharges would be permissible under the Alaska Pollutant Discharge Elimination System (APDES) permit program. Please collaborate directly with EPA, as needed.</p>

Recipient Response Form

Date Received from USACE:	December 13, 2019
Response from Recipient (Describe Information Requested to the Level of Detail Requested; Provide Attachments as Needed):	The Clean Water Act regulations at 40 C.F.R. 440, Subparts J and L apply to the proposed port site discharges of process wastewater. 40 C.F.R 440 Subpart J(b) "there shall be no discharge of process water to navigable waters from mills that use the froth-flotation process alone, or in conjunction with other processes, for the beneficiation of copper, lead, zinc, gold, silver, or molybdenum ores or any combination of these ores." Based on the information provided in RFI 066 dated October 17, 2018, DEC does not dispute EPA's comments at this time. Please note that while DEC authority to make decisions under the APDES Program, the EPA retains oversight authority for the program.
List Number and Type of Response Attachments:	None
Date Returned to USACE:	Click here to enter text.

AECOM Intake Form

Date Response was Received:	1/20/2020
Received by:	AECOM
Describe any Follow-up Related to this RFI:	None at this time