Wayne Hedberg rents to mine file
M/021/004

State of Utah
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

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DIVISION OF
OIL, GAS & MINING

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MINERALS PROGRAM
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September 18, 1990

Mr. Bryan Johnson, Environmental Specialist
Hecla Mining Company
6500 Mineral Drive
Box C-8000
Coeur d'alene, Idaho 83814-1931

RE: Tailings Pond Closure
Escalante, Utah

Dear Mr. Johnson:

We appreciated the opportunity to meet with your company officials, DOGM and BLM personnel on August 30, 1990 to discuss the closure of your cyanide tailings pond at Escalante, Utah. This letter is in regards to topics discussed at that meeting and to your latest proposals for closure and to the August 24, 1990 letter written to you by DOGM.

In August, 1989 the State of Utah adopted regulations for ground water protection. If future generations are to have good quality water to fill their needs, ground water quality must receive long-term protection. This need dictates that the State act now to protect the resource so that it is adequate to meet future needs. The regulations are intended to form the framework to achieve this goal. Under the regulations, existing facilities were not obligated to apply for a ground water discharge permit immediately, but were required to file a Notification Form with the Executive Secretary of the Water Pollution Control Committee prior to February 10, 1990. Existing facilities may later be required to apply for permits if they are so notified by the Executive Secretary. Rule R448-6-6.1B UAC states:

> "all persons who construct, modify, install, or operate any existing facility not permitted by rule under R448-6-6.2, which discharges or would probably result in a discharge of pollutants that may move directly or indirectly into ground water, including, but not limited to: .... mining and metallurgical operations, including heap leach facilities; and pits, ponds, and lagoons whether lined or not ..... must submit an application for a ground water discharge permit within one year after receipt of written notice from the Executive Secretary that a ground water discharge permit is required."

The intent is to require a permit for a facility or activity which in the normal conduct of the activity may have a release of pollutants to ground water. We wish to further evaluate the need for Hecla to obtain a ground water discharge permit, before site reclamation is further pursued. You will need a permit unless you can demonstrate to the Executive Secretary the tailings pond will have a de-minimus actual or potential effect on ground water quality (R448-6-6.2A21 UAC). We expressed our opinion that it would be unlikely that the tailings pond containing high concentration of cyanide could be considered a demininus situation, and that Hecla's efforts and resources would be better spent in securing the ground water permit. But, we would be willing to await your technical evaluation before rendering a final decision.

During the course of the meeting we requested Hecla provide the Bureau the following information for our evaluation. We understand you are also compiling additional data that will be submitted within 30 days.

1. Data showing the present cyanide conventrations in the tailings as a function of their vertical location throughout the pond.

2. Feasibility evaluation to detoxify the tailings, either with detoxifying agents, some form of water flooding, or other alternatives.

3. A current water level map of the underlying aquifer, showing placement of the observation wells.

4. Calculations showing time of travel from the pond to the observation wells as the result of water moving through the clay liner.

We emphasize our interest to work with you in this matter to the extent we can, and to coordinate our efforts with the other agencies involved. We will expedite our review, as we understand you are anxious to proceed. However, we trust you understand the importance and advantage to resolve all of these issues before reclamation proceeds.

If you have any questions please call Mack Croft at 538-6146.

Sincerely,

Don A. Ostler

Don Ostler, P.E., Director
Bureau of Water Pollution Control

cc: Wayne Thomas, District Engineer
Southwestern District Health Dept.
DOGM
BLM

MC:kcQ:HeclaEs.LTR