

PUBLIC NOTICE

OF DRAFT PERMIT AND PUBLIC HEARING

Date: December 12, 2014
Permit No. MI0058649
Eagle Mine LLC-Humboldt Mill

The Department of Environmental Quality (Department) proposes to reissue a discharge permit to: the Eagle Mine, LLC for the Humboldt Mill located at 4547 County Road 601, Champion, Michigan 49814. The applicant operates the Humboldt Mill and the associated tailings disposal facility to process copper and nickel ores. The applicant discharges treated process wastewater, treated laboratory wastewater, and treated water treatment backwash through a pipeline to the wetland contiguous to the Middle Branch Escanaba River in the SW1/4, SE1/4, and in the NE1/4, SE1/4, Section 2, Town 47 N, Range 29 W, Marquette County.

The draft permit includes the following modifications to the previously-issued permit: At Outfall 001, the daily maximum authorized discharge volume has been increased from 0.82 to 1.4 million gallons per day; new authorization to discharge treated laboratory wastewater and treated water treatment backwash; new discharge limits for total residual chlorine, available cyanide, and dissolved oxygen; new monitoring requirements for total hardness; revised concentration limits for total arsenic, total cadmium, total copper, total lead, total manganese, total nickel, and total zinc; and all the loading limits have been adjusted based on the higher authorized discharge volume. A new Outfall 002, which will authorize the discharge of wastewaters (identical to Outfall 001) through a pipeline to the wetland contiguous to the Middle Branch Escanaba River, has been added. New storm water pollution prevention requirements have been added that will necessitate updates to the permittee's Storm Water Pollution Prevention Plan (SWPPP) – due within six months of the permit's effective date. A new option to provide additional toxicity data for total cobalt and total lead has been added.

This draft permit authorizes an increased loading of pollutants to the wetland contiguous to the Middle Branch Escanaba River, which will lower the water quality with respect to certain parameters. The permitted discharge shall not lower the existing water quality of the receiving water below State Water Quality Standards. In accordance with Rule 323.1098, the applicant submitted an Antidegradation Demonstration. The Department proposes that the applicant's Antidegradation Demonstration, based on information required by Subrule (4) of R323.1098, shows that lowering of water quality is necessary to support the identified important social and economic development in the area. This is solely for purposes of satisfying state water quality regulations and is not intended to supplant local requirements, including land use or zoning laws. It is not, and should not be construed as, a finding by the Department that the proposed development meets local requirements or ordinances. In addition to the proposed permit, the Department is proposing to accept the Antidegradation Demonstration as adequate.

A Public Hearing with the Permit Decision Maker will be held to provide an opportunity for the public to present evidence and views on the draft permit. The Public Hearing will be held on Tuesday, January 13, 2015, at the Westwood High School Auditorium, 300 Westwood Drive, Ishpeming, Michigan 49849. There will be a brief presentation beginning at 6:00 p.m., followed by a question-and-answer session. The hearing will begin no later than 7:00 p.m., but may begin earlier. The hearing will end at 9 p.m. and the building vacated by 10 p.m. All interested parties are invited to attend.

Comments or objections to the draft permit and proposed decision regarding the Antidegradation Demonstration received by January 16, 2015, will be considered in the final decision to issue the permit. Persons desiring information regarding the draft permit, Antidegradation Demonstration, or procedures for commenting should contact Alvin Lam, Permits Section, Water Resources Division, Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan 48909, telephone: 517-284-5597, e-mail: lama@michigan.gov.

Copies of the permit application, Public Notice, Fact Sheet, Antidegradation Demonstration, and draft permit may be obtained via the Internet (<http://www.deq.state.mi.us/owis> - click on 'Permits on Public Notice') or at the Water Resources Division Upper Peninsula District Office located at 1504 West Washington Street, Marquette, Michigan 49855, telephone: 906-228-4939.

Individuals needing accommodations for effective participation at the hearing should contact Susan Ashcraft at 517-284-5568 a week in advance to request mobility, visual, hearing, or other assistance.