



Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Henry R. Darwin
Director

Notice of Granting License Notice of Appealable Agency Action

Via Certified Mail

Curis Resources (Arizona) Inc.
Attn: Dan Johnson
1575 W. Hunt Highway
Florence, AZ 85132

Re: Notice of ADEQ Decision to Grant and Issue an Other Amendment to the Temporary Individual Aquifer Protection Permit (APP) for the Florence Copper Project, Production Test Facility

Inventory Number: 106360 LTF ID: 58398
USAS Number: 110159-01 Place ID: 1579

Dear Mr. Johnson:

Pursuant to Arizona Administrative Code ("A.A.C.") R18-9-A210(D)(3), the Arizona Department of Environmental Quality (ADEQ) has granted an "other" amendment to the above-referenced Temporary Individual Aquifer Protection Permit for the Florence Copper Project Production Test Facility pilot test. Upon further review of the current Temporary Individual APP, and consideration of public comments received, ADEQ has made the following changes to the permit for the Florence Copper Project:

A number of typographic errors were corrected and clarifying language edits made in the amended permit that are not reviewed in detail here. Conforming language changes were made to condition permit requirements on the effective date of the permit, rather than the issuance date. Substantive changes to the permit include:

1. Section 2.2.3 & Section 3.0 – New requirement that boreholes within 150 feet of the Process Water Impoundment and the Runoff Pond be plugged and abandoned.
2. Section 2.2.4 – Removal of incorrect requirement regarding maximum injection pressure; addition of language allowing use of injection wells as recovery wells.
3. Section 2.5 – Removal of QAPP requirements to provide consistency with the latest APP framework for Individual permits.
4. Section 2.6.4.6 – Change from sixth to third sampling event for initiating hydrogeologic report.

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5. Section 2.7.4.4(2) – New requirement for submittal of potentiometric groundwater contour maps for the Production Test Facility (PTF) well field as a component of demonstrating hydraulic control, requiring a monthly evaluation of the minimum, average and maximum inward hydraulic gradients, to be reported quarterly in accordance with Section 2.7.4.4.
6. Section 2.7.4.4(14) – New requirement for submittal to ADEQ of copies of Reports submitted to the Environmental Protection Agency (EPA) as required by the Underground Injection Control (UIC) Program permit.
7. Section 3.0 – Clarifying the due date for several items to indicate the items are required to be completed within certain number of days from the effective date of the permit.
8. Section 3.0 – Reduction of time frame allowed to complete the installation of MW-01. The timeframe was changed from 90 days of the effective date of the permit to within 45 days of the effective date of the permit for the installation of MW-01.

For purposes of A.A.C. R18-9-A210(E), this permit becomes effective on the later of the following: 1) If no timely appeal is filed, upon completion of the public participation requirements under A.A.C. R-18-9-109; 2) If a timely appeal is filed, upon final decision of the water quality appeals board; or 3) upon the date specified by the permittee in a written notification to ADEQ that the permittee can use the authorization to operate the PTF granted by this permit.

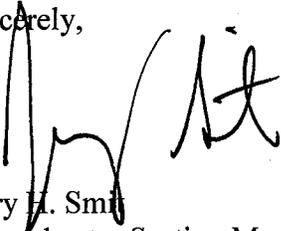
This decision is an appealable agency action under A.R.S. § 41-1092. You have a right to request a hearing and file an appeal under A.R.S. § 41-1092.03(B). You must file a written Request for Hearing or Notice of Appeal within **30 days** of your receipt of this Notice. A Request for Hearing or Notice of Appeal is filed when it is received by ADEQ's Hearing Administrator as follows:

Hearing Administrator
Office of Administrative Counsel
Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

The Request for Hearing or Notice of Appeal shall identify the party, the party's address, the agency and the action being appealed and shall contain a concise statement of the reasons for the appeal. Upon proper filing of a Request for Hearing or Notice of Appeal, ADEQ will serve a Notice of Hearing on all parties to the appeal. If you file a timely Request for Hearing or Notice of Appeal you have a right to request an informal settlement conference with ADEQ under A.R.S. § 41-1092.06. This request must be made in writing no later than **20 days** before a scheduled hearing and must be filed with the Hearing Administrator at the above address.

Please contact Richard Mendolia at (602) 771-4374, if you have questions regarding this Notice or the approved Other Amendment.

Sincerely,



Jerry H. Smit
Groundwater Section Manager
Water Quality Division

Date: 7/3/2013

Enclosures: Permit
cc: Vimal Chauhan, Manager, Mining Unit, GWS, WQD, ADEQ
Richard Mendolia, Project Manager, Mining Unit, GWS, WQD, ADEQ
Lynne Dekarske, EPS/Billing, GWS, WQD, ADEQ

MU13:0083

