



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

Ms. Katherine Arnold  
Rosemont Copper Co.  
P.O. Box M  
San Manuel, AZ 85631

### Re: Notice of ADEQ Decision to Grant an Aquifer Protection Permit (APP) for Rosemont Copper Project

Inventory Number: 106100 LTF ID: 49639  
USAS Number: 509976-00 Place ID: 135845

Dear Ms. Arnold:

The Arizona Department of Environmental Quality's (ADEQ's) review of this application was subject to the requirements of the licensing time frames ("LTF") statute under Arizona Revised Statutes ("A.R.S.") § 41-1072 through § 41-1079 and the LTF rules under Arizona Administrative Code ("A.A.C.") R18-1-501 through R18-1-525. This Notice is being issued within the overall time frame for your application.

ADEQ hereby grants your application for an Aquifer Protection Permit under A.A.C. R18-9-A201. A draft permit and fact sheet describing the conditions of your approval are attached. As you know, pending the outcome of the U.S. Forest Service Environmental Impact Statement (EIS), the Rosemont APP may require amendment.

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

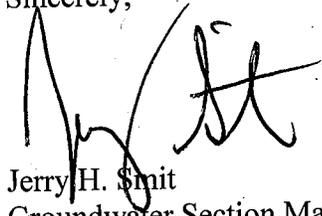
Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ 85701  
(520) 628-6733

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 APP.

Sincerely,



Jerry H. Smit  
Groundwater Section Manager  
Water Quality Division

Date: 4/2/2012

Enclosures: Draft Permit  
Draft Fact Sheet

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

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