

NOTICE OF THE PRELIMINARY DECISION TO ISSUE
AN AQUIFER PROTECTION PERMIT

Public Notice No. 12-23

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Pursuant to Arizona Administrative Code, Title 18, Chapter 9, Article 1, the Director of the Arizona Department of Environmental Quality intends to issue an individual Aquifer Protection Permit (APP) to the following applicant(s):

Facility Name: Rosemont Copper Project

Aquifer Protection Permit No. P-106100

Permittee: Rosemont Copper Company
P.O. Box 35130
Tucson, AZ 85740

The Rosemont Copper Project proposes to construct a new open-pit copper mine and associated copper recovery facilities. The mine will be located approximately 30 miles southeast of Tucson, Arizona, in the Santa Rita Mountains, west of State Highway 83. There are nine facilities at the site categorized as discharging facilities which require an APP: five surface impoundments related to process solution storage and management, a heap leaching facility, a waste rock storage facility, a dry stack tailings facility, and a non-municipal solid waste landfill.

Under ADEQ's APP program, a permit is required for any facility with the potential to discharge to groundwater. There are four equally important demonstrations the mine must make to the Department to receive an APP: (1) compliance with Arizona aquifer water quality standards at a point of compliance; and (2) the facility must be designed and operated to achieve the greatest degree of discharge reduction achievable through the application of Best Available Demonstrated Control Technology (BADCT); (3) financial capability; and (4) technical capability.

The draft permit and related documentation are available for public review, Monday through Friday, 8:30 a.m. to 4:30 p.m., at ADEQ, 1110 West Washington Street, Records Management Center, Phoenix, Arizona, 85007. In Phoenix, please call (602) 771-4380 or e-mail RecordsCenter@azdeq.gov 24 hours in advance to schedule an appointment to review the file. The permit and fact sheet may be viewed online at azdeq.gov/cgi-bin/vertical.pl by accessing the notice on the Events and Notices Calendar for the date of this public notice.

A Public Hearing will be held at Palo Verde High Magnet School, 1302 S. Avenida Vega, Tucson, AZ, 85710, on Thursday January 5th, 2012 from 5:00 to 7:30 PM. The purpose of the public hearing is to allow the public to make comments for the record. ADEQ will respond in writing to all comments submitted during the formal public comment period.

ADEQ's decision regarding this APP is based on the application submitted by Rosemont on March 3, 2009. Pending the outcome of the U.S. Forest Service Environmental Impact Statement (EIS), the Rosemont APP may require amendment.

Persons may submit comments on the proposed action, in writing, to Richard Mendolia, Project Manager, ADEQ, Groundwater Section, 1110 West Washington Street, MC5415B-3, Phoenix, AZ 85007 within forty-five (45) days from the date of this notice.