Message

From: Hoffman, Hugo [Hoffman.Hugo@epa.gov]
Sent: 5/17/2019 2:11:24 PM
To: Blake, Ellen [Blake.Ellen@epa.gov]
CC: Dunning, Connell [Dunning.Connell@epa.gov]
Subject: FW: 3.7.2 - Groundwater and Surface Water Quality: Resolution Copper DEIS
Attachments: 3.7.2_GWSWQuality_April23_Rewrite_EPA comments 2019-05-16.docx; APP_J_GWSWQual_DEIS3_April23_Rewrite_EPA comments 2019-05-16.docx; 2019-05-16_MEMO_TENORM for Resolution EIS.docx

Hi Ellen,

FYI. These are our comments on the Forest Service's Administrative Draft EIS (ADEIS) section on water quality that we sent yesterday.

Cheers,

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From: Hoffman, Hugo
Sent: Thursday, May 16, 2019 4:36 PM
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Cc: cgarrett@swca.com; dmorey@swca.com; KELLY, PATRICKJ <kelly.patrickj@epa.gov>; Michael Langley <michael.w.langley@usace.army.mil>; Dunning, Connell <Dunning.Connell@epa.gov>; Mahdavi, Sarvy <Mahdavi.Sarvy@epa.gov>; Ziegler, Sam <Ziegler.Sam@epa.gov>
Subject: RE: 3.7.2 - Groundwater and Surface Water Quality: Resolution Copper DEIS

Hi Mary,

Attached are EPA's comments on the documents provided. Also attached is a memo with recommendations for the analysis of potential impacts from and mitigation for Technologically-Enhanced Naturally-Occurring Radioactive Material. EPA did not review the attached August 6, 2018 Process Memorandum for the Water Resource Analysis or the impact summary table due to time constraints.

Comments are provided in the attached in tracked changes/comments. There are a variety of technical and conceptual comments. The following are highlights for some overarching ideas from the comments:

- The EIS acknowledges varying degrees of uncertainty about the predicted water quality impacts between alternatives. One of the main sources of this uncertainty is due to different levels of site-characterization and data on baseline conditions. Given the severity and scope (spatially and temporally) of potential impacts, EPA is concerned that, as written, the EIS analysis does not provide an analysis "commensurate with the importance of the impact[s][...]" across alternatives. (40 CFR 1502.15)
- As written, the EIS section is lacking in detail about the facility design to the degree that the causes of impacts cannot be understood and the way in which control measures could manage impacts cannot be evaluated or meaningfully commented on. EPA supports the practice of "incorporation by reference" in the NEPA process to control the length and technical detail contained in an EIS; however, sufficient summary information should be

included in the EIS to enable the reader to understand the design and impacts of the proposed project and its alternatives. In this case, however, we believe that the ADEIS not does not include sufficient summary of key relevant information needed for informed decision making. There may also be some methodological limitations inherent to the referenced reports, as related to the first bulleted comment.

- The analysis area does not appear capture all direct and indirect impacts to waters of the U.S. downstream of the tailings alternatives due to a limited analysis area.
- There is incomplete information about the location and constituents of existing Clean Water Act 303(d)-listed impaired waters of the U.S.
- There are many edits and recommendations for applying water quality standards in a more conservative manner, consistent with established science and regulation.

We look forward to discussing these issues with you on Monday, as well as a process for resolving them before the DEIS is published. As part of that process, we hope to have a chance to review a revised ADEIS section prior to incorporation into the public draft version of the DEIS.

Thank you for the opportunity to provide comments. Please confirm receipt so we know that you have received these materials in advance of our call.

Regards,

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From: Rasmussen, Mary C -FS <mary.rasmussen@usda.gov>
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Cc: cgarrett@swca.com; dmorey@swca.com
Subject: 3.7.2 - Groundwater and Surface Water Quality: Resolution Copper DEIS
Importance: High

Thanks for your patience!
For your review -
Here is the latest draft of water quality impacts described for the Resolution Copper Mine Project.

The earlier version included affected environment but lacked the results of the analysis of environmental consequences. The attached supporting documents include:

- A revised section 3.7.2 in WORD format
- Appendix J (5 water quality tables we felt could be moved from the text; this was already in the previous version but has been modified).
- Appendix K (a new appendix with 30 water quality figures for constituents of concern).
- The portion of the impact summary table from Chapter 2 applicable to the water sections. This is a work in progress, but this represents the latest iteration for the water sections and may be useful to your review.
- The most recent version of the water resources process memo.

REVIEW INSTRUCTIONS:

- Please focus your review on the 'GWSW Quality April23 Rewrite' document. Relevant comments on the other documents are definitely okay – just a lower priority if you're short on review time.
- You can provide your review comments directly in the Word document using the 'Track Changes' option.
- For improving the content of the DEIS, your review comments of this section would be most helpful if received by COB on Thursday May 16.
- We recognize that there was no estimate of when this section would be available for review – we have a hard deadline of June 3 for completing all changes. We won't be able to accept review comments after May 23.
- Please send your comments directly to me with a CC to Donna Morey (dmorey@swca.com).
- Notes about this analysis and write-up:
    - This is a long but critical section (currently 60 pages).
    - This is a very complicated analysis and portions of the methodology section are important to a reader just to be able to understand the rest of the section, particularly the connection of the various modeling components.
    - The background reports are numerous, convoluted, confusing, and (to the uninitiated) even duplicative. The methodology section also serves as a roadmap for where to find the actual data.
    - The NEPA team feels pretty strongly that the uncertainties involved are one of the key takeaways. Much of the methodology section focuses on those uncertainties (roughly 20 pages of a 60 page section).
    - Suggestions for what isn't critical to the DEIS section and could be moved to the process memo are welcome.
    - We focused on a careful separation between ADEQ permitting and Forest Service disclosure. Give us feedback on if we've described the situation adequately.
    - This document has not been through formatting, so some things like tables and their footnotes look rough. The one thing that should be mostly okay are the references.
    - If you need a reference and can't find it in the SharePoint folder – send Donna an email and SWCA will get it loaded there ASAP.

You can direct any immediate questions about these materials – and we will get you answers to facilitate an effective NEPA document review.
Thanks for your continued interest and agency support of this project!

Mary C. Rasmussen, Team Leader
Resolution Copper Mine EIS

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