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Chevron mine discharge permit under review; public hearing planned July 31

By Matthew van Buren

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The Environmental Protection Agency (EPA) will hold a public hearing in Questa, Wednesday (July 31) to receive comments on Chevron Mining's draft permit to discharge into the Red River.

The revised permit concerns water discharges from the Questa molybdenum mine and tailings facility. According to information from the EPA, the hearing will include a presentation on the proposed permit and a question-andanswer session beginning at 6 p.m., with the hearing for public comments starting at 7:30 p.m. Written comments will also be accepted. The meeting is scheduled July 31 at the Questa VFW Post 7688.

According to information from the EPA, changes from the 2006 permit would include the elimination of one "outfall," or discharge point, and the addition of another, as well as revised quality-based limits for several other outfalls to bring them in line with state water quality standards.

The permit sets limits for pollutants including arsenic, cadmium, copper, lead, mercury and zinc. According to an EPA fact sheet, the state Environment Department requested the EPA include monitoring requirements for seven "key" contaminants of concern: aluminum, fluoride, manganese, molybdenum, sulfate, zinc and pH.

"The EPA proposes to have a quarterly monitoring requirement for aluminum in the permit," the fact sheet states.

The sheet notes that the Red River was listed by the state as impaired for aluminum when the EPA last reissued the permit in 2006 "but is no longer impaired due to a change in the (water quality standards) for aluminum." April 30, 2012, the EPA approved the withdrawal of the dissolved aluminum total maximum daily load for a section of the Red River, and because the effluent data collected demonstrated no reasonable potential based on the new standard, water quality-based effluent limitations for aluminum are not established at Outfall 002 — a point of continuous discharges consisting of collected seepage from tailings facilities.

"The water balance data provided by (Chevron Mining) indicate that up to 3.6 million gallons of water have potential to seep into the ground through the tailings facility everyday," the fact sheet states. "Seepages from the tailings facility may reach downstream Red River through hydrological connection. Such seepage discharges were not authorized in the administratively continued permit, except for those seepages collected and discharged at Outfall 002. EPA is not proposing to authorize discharges of seepage from the tailings facility, except for those discharging through Outfall 002."

Seepages from the tailings facility not authorized under the Environment Department permit will be addressed under the Superfund program, according to the EPA report, and the proposed permit's requirement to "stop conveyance of flows to the tailings ponds by Oct. 1, 2016." The EPA will use findings of ongoing investigations to decide whether further actions are necessary.

The Questa mine was added to the EPA's "National Priorities List" of Superfund sites in 2011. The EPA has been negotiating with Chevron Mining over remediation actions, which could cost as much as $1 billion. They include addressing waste rock piles, covering and revegetating tailings ponds, addressing contaminated soils, dredging and installing a control system at Eagle Rock Lake and operating a wastewater treatment facility.

Chevron Mining has sued the U.S. Government claiming the government bears some responsibility for cleanup costs.

The EPA's fact sheet addresses the new water treatment facility, saying it would potentially treat waters from the underground mine, "collected mine waters including waters from groundwater well and springs," potential filtrate from the future paste plant (that is planned to eliminate the need for further use of the tailings storage facility near the village), and storm water from the mine site.

"The treated waters would be discharged from a new proposed outfall location near the water treatment plant in the vicinity of the mill," the fact sheet states. "This new treatment plant would likely have two treatment trains, each providing up to 1,600 gallons per minute capacity to handle the maximum expected flows, given on-site water quantity management. The process would result in a large portion of the contact waters on the mine site undergoing full treatment."

The permit and related documents can be found at *www.epa.gov/region6/water/npdes/publicnotices/nm/nmdraft.htm.*

Comments should be submitted to Ms. Diane Smith, U.S. Environmental Protection Agency, Planning and Analysis Branch (6WQ-NP), 1445 Ross Avenue, Suite 1200, Dallas, TX, 75202-2733, or by email to smith.diane@epa.gov. The EPA will accept comments from the public until Aug. 13. The proposed permit would be reissued for a five-year term.