Response to Comments on the

Department of Environmental Conservation

Draft Waste Management Permit No. 2026DB0001

And

Department of Natural Resources

Draft Reclamation Plan Approval J20262682RPA,

For

Greens Creek Mine

Public Noticed: May 29, 2026, through July 1, 2026

Final

September 14, 2026

Introduction

Notice to the Public Start: May 29, 2026

Notice to the Public End: July 1, 2026

The Greens Creek Mine is an underground polymetallic mine located 18 miles southwest of Juneau, Alaska on the northwest side of Admiralty Island within the Tongass National Forest. Hecla Greens Creek Mining Company (HGCMC) is the operator of the mine which resides on private property, federal lands, including unpatented claims located within the Admiralty Island National Monument. Mining Methods at the Greens Creek Mine consist of underground cut-and-fill and long-hole stoping operations using flotation and gravity processes to recover silver, gold, lead, and zinc.

HGCMC is requesting to renew their current Reclamation Plan Approval and Waste Management Permit. HGCMC Reclamation and Closure Plan outlines their strategy to restore disturbed land to safe, stable, near-natural conditions while meeting all federal and state regulatory requirements. The plan includes regrading and revegetation of disturbed areas, installing an engineered cover over the Tailings Disposal Facility (TDF), sealing mine portals, removing hazardous materials, and managing waste rock and tailings through underground placement or TDF disposal. Post-Closure monitoring focuses on water quality, erosion control, slope and cover stability, and vegetation success, with monitoring wells. Overall, the plan ensures long-term environmental protection, hydrologic stability, and ecological recovery of the mine site.

The Alaska Department of Environmental Conservation (DEC) draft Waste Management Permit (WMP) No. 2026DB0001 stipulates the requirements for the disposal of wastes from the Greens Creek Mine as described in draft permit section 1.0 in accordance with provisions of Alaska Statutes (AS) 46.03, and the Alaska Administrative Code (AAC), 18 AAC 15, 18 AAC 60, 18 AAC 70 and 18 AAC 72.

The Alaska Department of Natural Resources (DNR) draft Reclamation Plan Approval (RPA) No. J20262682RPA stipulates the requirements for reclaiming the proposed disturbance on non-state lands in accordance with AS 27.19 and 11 AAC 97 and outlines the costs associated with conducting these reclamation activities by a third-party contractor to meet the State's financial assurance requirements.

This document addresses the substantive comments received concerning the requirements of DEC's draft WMP, DNR's draft RPA, and the State's responses to those comments. This document does not address comments outside the scope and beyond the regulatory authorities of these approvals. Changes made to the draft DEC permit and DNR approval resulting from comments received during the public notice period are reflected in the final documents. Minor changes made to the permit or approval for correcting typographical and grammatical errors, formatting or clarifying information are not detailed in this document.

Opportunities for Public Participation:

To ensure public and agency opportunities for participation, the agencies:

- DEC and DNR Published separate Notices on the State of Alaska Online Public Notices website requesting information and comments from the public regarding Greens Creek Mine renewal of their Integrated Waste Management Permit and Reclamation Plan Approval, with associated documents, from May 29, 2026, through July 1, 2026.
- DNR, DMLW, Mining Section, Large Mine Projects webpage published news of Greens Creek Mines renewals with linked portals to each online public notice starting on May 29, 2026.
- DEC Published a Public Notice in the Juneau Empire on May 30, 2026, and June 6, 2026.

Comment Overview:

The State received two letters comprised of varied comments prior to the deadline from Mr. Tyler Breen on behalf of Southeast Alaska Conservation Council, and from Mr. Jon Wunrow on behalf of Angoon Community Association. Substantive concerns are noted under the following major topics: WMP, Environmental Audit, permit extension, requested meetings and consultation, reclamation plan, and financial assurance. Outlined below are paraphrased comments in opposition to DEC's proposed WMP, DNR's proposed RPA, and the State's responses to those comments. Comments received that were identical or similar in scope are consolidated to address the underlying concerns of each to provide succinct responses. The table below notes the main comments and responses from the agencies.

RTC – DEC Comments 1-4, DNR Comments 5-10

Comment #	Comment	Agency Response
1	The Angoon Community Association (ACA) requests an administrative extension of the current permit until such time as a complete, third-party environmental audit is conducted. This permit requirement is identified as item 2.8 in the draft permit, which states that a third-party audit be conducted in the last year of the permit. The current five-year solid waste management permit was approved in 2020 and has been extended one year. The last environmental audit was conducted in 2019, prior to the approval of the current permit. Further there is a documented history of non-compliance with this permit requirement as the only other third-party environmental audit was conducted in 2009. ACA also requests that the required environmental audit examine the actual impacts on the environment. In addition, this third-part environmental audit should incorporate and address the findings of the first two audits (2009 and 2019) and provide remedies including one for the finding in the first audit that there was no evidence that any of the reports or data from either the state or mine had been reviewed. The audit should also look at compliance with federal criteria required under ANICLA, i.e. no harm to fisheries or other Monument Values and the federal Clean Water Act requirement to protect and maintain the nation's freshwater resources. Without these analyses, the required environmental audit serves as simply something that is done to ensure permit compliance and not a true assessment of potential harm to the environment or violation of other federal laws.	In reference to the first part of the comment: on January 12, 2024, the Department of Environmental Conservation (DEC) limited the scope of the environmental audit to only financial assurance. Likewise, the 2020 Reclamation Plan Approval (RPA) requires an environmental audit, which the Department of Natural Resources (DNR) limited to covering the adequacy of the financial assurance. The environmental audit completed in December 2024 satisfied the requirements of DEC's Waste Management Permit (WMP) and DNR's RPA. No changes were made to the WMP as a result of this part of the comment. Regarding the second part of the comment: noncompliance with the WMP is dealt with by DEC's Division or Water, Compliance Section, and it is outside the scope of environmental audit. No changes were made to the WMP as a result of this part of the comment. For the third part of the comment: please refer above where both DEC and DNR limited the scope of the 2024 environmental audit. Regarding ANILCA and Admiralty Island National Monument status, those are covered under federal legislation and rulemaking. Consequently, authority to implement those requirements does not extend to the State of Alaska and the WMP. No changes were made to the WMP as a result of this part of the comment.
2	ACA requests that the draft Solid Waste Permit be modified to recognize the connection between permitted actions on the land and the need for monitoring those effects in the marine environment, specifically by including the Hawk Inlet Report in the annual Greens Creek data review meeting.	Various peer reviewed monitoring reports, state agency (DEC, DNR, and Alaska Department of Fish and Game (ADF&G) site visits, U.S. Forest Service (USFS) inspections, scheduled online meetings, and the Integrated Monitoring Plan take care of the need to recognize the connection among permitted actions including compliance issues on land, fresh water, and marine environment. No changes were made to the WMP as a result of this comment.

Comment #	Comment	Agency Response
3	ACA requests that the draft Solid Waste Permit be modified to recognize the connections between state and federal jurisdictions and requirements. Language should be included to ensure that data reporting, data analysis and communication of that analysis, and adherence to all regulations between all regulators are a required part of permit compliance. Specifically, holding a 2½ hour data review meeting once a year without any assigned follow ups on data anomalies or commitments to improve data collection methods that by most accounts are unsatisfactory, is not an honest "review" of data.	In reference to the first part of the comment: please refer to DEC responses under comments 1 and 2. No changes were made to the WMP as a result of this part of the comment. For to the second part of the comment: DEC recognizes that 2½ hours of data review during the annual meeting is inadequate for proper oversight. Consequently, the WMP requires year-round DEC oversight and monitoring, which is authorized through the WMP. Additionally, DEC constantly collaborates and interacts with sister agencies (DNR, ADF&G, and USFS), through regularly scheduled meetings and sharing of information, e.g. inspection, technical, and monitoring reports. No changes were made to the WMP because of this part of the comment.
4	The Angoon Community Association requests that the existing permit be extended until such time as adequate and meaningful consultation with the Tribe has occurred to address the comments noted above.	ACA can submit comments any time during or beyond the public notice period, and DEC is ready for any meaningful consultation. ACA's request to extend existing WMP is not essential to have meaningful consultation. No changes were made to the WMP as a result of this comment.

Comment #	Comment	Agency Response
5	SEACC requested written documentation of USFS Tongass National Forest coordination confirming that the renewal terms are consistent with the management requirements of Admiralty Island National Monument.	There is a Memorandum of Understanding (https://dnr.alaska.gov/mlw/mining/large-mines/greens-creek/pdf/financial/2020-7-21-MOU-Greens-Creek-Mine-Final.pdf) signed between the Alaska Department of Natural Resources, Alaska Department of Environmental Conservation, and the U.S. Department of Agriculture, Forest Service concerning the reclamation/closure/post-closure bonding for Greens Creek Mine. All agencies work together within their specific legal authority to appropriately manage activities for Greens Creek Mine, reclamation, and financial assurance. Under the MOU Section I. A. *The Forest Service has statutory and regulatory authority and mandates under Federal Law to manage surface lands including the approval of reclamation plan and financial assurance estimates within the boundaries of the Tongass National Forest, as described in Section I D of this MOU.* Additionally, under Section IV. A*, The parties agree to coordinate their management of financial assurance to avoid burdensome, duplicative requirements related to bonding requirements at the Greens Creek Mine.*

Comment #	Comment	Agency Response
6	SEACC has requested that the bond incorporate costs associated with reasonably foreseeable spills and accidental releases. Financial assurance for a large hardrock mine must cover not only planned reclamation work but also the predictable risk of unplanned discharges, spills, and environmental incidents that will require response and cleanup. Alaska's mining history shows these risks are common rather than exceptional. A 2022 National Parks Conservation Association review of Alaska's five largest mines documented more than 8,150 reported spills between 1995 and 2020, averaging roughly 300 spills per year—and totaling over 2.3 million gallons of liquid and 1.9 million pounds of solid hazardous material released. Earthworks' analysis of U.S. gold mines found that 74 percent had inadequate control of contaminated seepage. Greens Creek Mine has its own record of releases, including zinc concentrate spills in 2015, 2016, and 2019. Given this established pattern, a financial assurance calculation that does not include a probabilistic spill-response cost component cannot be said to represent the "reasonable and probable costs" required under AS 27.19.040(a). SEACC therefore urges DNR to require HGCMC to submit an additional financial assurance analysis that explicitly incorporates spill likelihood and response expenses into the total bond amount.	Under 11 AAC 97.100(d)(1), the reclamation plan does not apply to fuel spills, chemical neutralization, detoxification, or clean-up of hazardous substances used in mineral processing facilities associated with mining operations. The reclamation plan may be amended under 11 AAC 97.330(a) to address unanticipated conditions necessitating a change in the reclamation plan. The submitted plan meets the requirements under 11 AAC 97.200. Land Reclamation Standards. The company is still in operation. Alaska statutes require financial assurance to be based upon "reasonable and probable" estimates of reclamation costs. It is the duty of the Department to determine the required reclamation bond using the guiding principle of a "reasonable and probable" analysis. If conditions change prior to the completion of reclamation, DNR may require the company to amend the plan, update the cost estimate, and update the financial assurance under 11 AAC 97.415(b) "After a multi-year reclamation plan goes into effect, the miner shall ensure that the bond amount is sufficient at all times to cover any area to be mined during the current calendar year, plus any area mined in a previous year that has not yet been reclaimed." The Department maintains that the financial assurance is adequate to fund any reclamation and closure costs that can reasonably be anticipated. No changes were made in response to this comment.

<table>
<tr><th>Comment #</th><th>Comment</th><th>Agency Response</th></tr>
<tr><td>7</td><td>Under AS 27.19.040(a), the Commissioner must set a financial assurance amount that reflects the realistic and likely costs of reclamation. Using a CPI-adjusted number based on an old baseline—one that the department's own auditors found to be incomplete—does not meet this requirement. Under 11 AAC 97.420(b), any reduction from the standard per-acre bond amount must be supported by an independent, third-party cost estimate. The credibility and transparency of the financial assurance depend on having an up-to-date, independently verified cost basis.

SEACC requested that the agencies require a current, transparent, line-item reclamation cost estimate prepared or peer-reviewed by an independent third party, rather than relying on CPI increases applied to a 2014 estimate.

The Proposed Bond Relies on an Outdated Baseline

The draft RPA proposes a financial assurance amount of $127,465,276, adjusted each year for inflation using the Anchorage CPI. This figure originates from cost estimates produced in 2014 and updated in 2016 and 2018, which the HDR audit team reviewed. Since then, it has only been updated by CPI indexing. Adjusting for inflation does not replace a fresh, independent assessment of whether the original activity-level cost estimates are still accurate or whether new conditions, regulatory changes, or expanded site disturbance require revising the baseline.

The 2019 audit identified specific issues with the estimation approach, such as inconsistent indirect cost percentages used by HGCMC compared to ADNR and ADEC guidance; unresolved uncertainty about growth media volume and sourcing costs; and unknown duration and costs for post-closure water treatment for underground workings, pending hydrology modeling. These issues have not been publicly addressed.

The RPA should include a direct evaluation of whether the proposed $127,465,276 financial assurance amount is adequate.

AS 27.19.040 requires that financial assurance for an individual operation reflect the reasonable and probable costs of reclamation, and the $750-per-acre limitation does not apply to lode mines.</td><td>Alaska statutes require financial assurance to be based upon “reasonable and probable” estimates of reclamation costs. It is the duty of the Department to determine the required reclamation bond using the guiding principle of a “reasonable and probable” analysis. If conditions change prior to the completion of reclamation, DNR may require the company to amend the plan, update the cost estimate, and update the financial assurance under 11 AAC 97.415(b) “After a multi-year reclamation plan goes into effect, the miner shall ensure that the bond amount is sufficient at all times to cover any area to be mined during the current calendar year, plus any area mined in a previous year that has not yet been reclaimed. The company has updated the cost estimate with appropriate third-party quotes, noted tasks, and allowances for contingencies. The SRCE spreadsheet HGCMC has used does break down reclamation costs by line item and is available to the public for review upon request. The PDF was included with the notice to the public.

The most recent environmental audit was completed December 2024 and posted to the project website (https://dnr.alaska.gov/mlw/mining/large-mines/greens-creek/pdf/envaudits/GreensCreek-RPA-Audit-2024-Final-12.20.2024.pdf) prior to the May 29, 2026, public notice.

The Department maintains that the financial assurance is adequate to fund any reclamation and closure costs that can reasonably be anticipated. No changes were made to the approval in response to this comment.</td></tr>
</table>

Comment #	Comment	Agency Response
8	SEACC expressed concerns with the submitted plans meeting the requirements of AS 27.19 as implemented through 11 AAC 97 which applies to approval of reclamation plans, reclamation bonding, and enforcement for locatable mineral operations on state, federal, municipal, and private land. Under 11 AAC 97.200 Land reclamation performance standards include stable conditions, erosion prevention, revegetation within five years, acid rock drainage prevention and containment. The company has not demonstrated that the plan will meet the reclamation standards.	The submitted plan meets the requirements of 11 AAC 97.200.
9	SEACC noted that 11 AAC 97.240 requires that areas with acid rock drainage (ARD) potential be reclaimed in a way that prevents ARD from forming or being discharged offsite. This requirement directly applies to the Greens Creek tailings disposal facility, waste rock locations, and underground workings. This standard is not fully met. The 2019 audit identified continued exceedances of Alaska Water Quality Standards at freshwater monitoring sites linked to the TDF, unresolved gaps in geochemical monitoring for quarry pit walls, and a still-incomplete post-closure hydrology analysis for the underground workings—an analysis needed to determine the length and cost of future water treatment obligations. The current administrative record does not show that these issues have been resolved.	The company has addressed concerns noted in the 2024 environmental audit and has updated the reclamation plan to meet the requirements of 11 AAC 97.240. Sections 5 and 6 (Hecla Greens Creek General Plan of Operations, Appendix 14, Reclamation and Closure Plan. 2026. Pages 15-36) describe goals and actions for reclamation to meet the requirements of 11 AAC 97.240. Specifically, the company will manage mine contact water and water treatment to meet effluent discharge limits.

Comment #	Comment	Agency Response
10	SEACC noted that 11 AAC 97.310 requires submission of a reclamation plan that includes a reclamation schedule, stream restoration, underground mine sealing, and a cost estimate. This requirement is only partially met. The 2026 Reclamation and Closure Plan has been provided and covers many of the necessary components, but the cost estimate cannot be confirmed as sufficient without an independent audit, and the required post-closure underground hydrology analysis needed to support an accurate cost estimate is still incomplete. 11 AAC 97.420 requires that the bond amount represent the reasonable and likely cost of reclamation, and any proposal for a reduced bond must include an independent third-party cost estimate. This requirement is not met. No third-party cost estimate has been provided for the current renewal cycle, and the bond amount was simply carried forward from the previous permit with an inflation adjustment, without the independent verification required by the regulation.	The company has updated the cost estimate with appropriate third-party quotes, noted tasks, and allowances for contingencies. The SRCE spreadsheet HGCMC has used does break down reclamation costs by line item and is available to the public for review upon request. The PDF was included with the notice to the public. Alaska statutes require financial assurance to be based upon “reasonable and probable” estimates of reclamation costs. It is the duty of the Department to determine the required reclamation bond using the guiding principle of a “reasonable and probable” analysis. If conditions change prior to the completion of reclamation, DNR may require the company to amend the plan, update the cost estimate, and update the financial assurance under 11 AAC 97.415(b) “After a multi-year reclamation plan goes into effect, the miner shall ensure that the bond amount is sufficient at all times to cover any area to be mined during the current calendar year, plus any area mined in a previous year that has not yet been reclaimed.” As per 11 AAC 97.435, financial assurance will not be released until reclamation performance standards under 11 AAC 97.200 and the approved reclamation plan have been met. The Department maintains that the financial assurance is adequate to fund any reclamation and closure costs that can reasonably be anticipated. No changes were made to the approval in response to this comment.