



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Environmental
Conservation

DIVISION OF WATER
Wastewater Discharge Authorization Program

555 Cordova Street
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415
www.dec.alaska.gov/water/wwdp

June 13, 2014

Certified Mail: 7012-3460-0002-9326-6988

Ms. Jennifer Saran
Hecla Greens Creek Mining Company
PO Box 32199
Juneau, AK 99803

Re: Hecla Greens Creek Mine: Stage 3 Tailings Facility Expansion
Reference No. POA-1988-269-M5

Dear Ms. Saran:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation (DEC) is issuing the enclosed Certificate of Reasonable Assurance for placement of fill material in waters of the U.S. in association with the development of Hecla Greens Creek Mine: Stage 3 Tailings Facility Expansion.

DEC regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 15 days of the permit decision. Visit <http://www.dec.state.ak.us/commish/ReviewGuidance.htm> for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the U.S. Army Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,

James Rypkema
Section Manager, Storm Water and Wetlands

Enclosure: 401 Certificate of Reasonable Assurance

cc: (with encl.)
Ellen Lyons, USACE, Fairbanks
Steve Segó, Waterman Mitigation Partners
Tim Pilon, DEC
William Ashton, DEC

Jackie Timothy, ADF&G
USFWS Field Office Juneau
Mark Jen, EPA Operations, Anchorage

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CERTIFICATE OF REASONABLE ASSURANCE

A Certificate of Reasonable Assurance, in accordance with Section 401 of the Federal Clean Water Act and the Alaska Water Quality Standards is issued to Hecla Greens Creek Mining Company, PO Box 32199, Juneau, AK 99803 for placement of fill material in waters of the U.S. in association with the development of the components of the Record of Decision Selected Alternative:

1. Expansion of the existing tailings disposal facility (TDF) southward into the Monument;
2. Development of a reclamation material storage area near the junction of the A and B Roads, outside the Monument;
3. Development of a rock quarry north of the existing TDF, and access from within the existing facility, outside of the Monument;
4. Development of a new water management pond south of the existing TDF and expansion of existing water management ponds;
5. Relocation of the B Road and a truck wheel wash facility to accommodate the TDF expansion; and
6. An impact footprint on waters of the U.S. of 13.91 acres with an estimated project fill volume of 253,000 cubic yards.

A State Water Quality Certification is required under Section 401 because the proposed activity will be authorized by a U.S. Army Corps of Engineers permit, reference number POA-1988-269-M5, and a discharge of pollutants to waters of the U.S. located in the State of Alaska may result from the proposed activity. Public notice of the application for this certification was given as required by 18 AAC 15.180 in the Corps Public Notice POA-1988-269-M5 posted from April 20, 2012 to June 18, 2012. Public notice for the proposed mitigation plan was posted April 9, 2014 to May 8, 2014.

The proposed activity is located within Section 22, 23, 26 and 27, T. 43 S., R. 65 E., Copper River Meridian on Admiralty Island, in the City and Borough of Juneau, Alaska. The proposed mitigation site is located within Section 16, T.42 S., R.68 E., Copper River Meridian on Douglas Island, in the City and Borough of Juneau, Alaska.

The Department of Environmental Conservation (DEC) reviewed the application and certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the Clean Water Act and the Alaska Water Quality Standards, 18 AAC 70, provided that the following alternative measures are adhered to.

1. Reasonable precautions and controls must be used to prevent incidental and accidental discharge of petroleum products or other hazardous substances. Fuel storage and handling activities for equipment must be sited and conducted so there is no petroleum contamination of the ground, surface runoff or water bodies.
2. During construction, spill response equipment and supplies such as sorbent pads shall be available and used immediately to contain and cleanup oil, fuel, hydraulic fluid, antifreeze, or other pollutant spills. Any spill amount must be reported in accordance with Discharge Notification and Reporting Requirements (AS 46.03.755 and 18 AAC 75 Article 3). The applicant must contact by telephone the DEC Area Response Team for Southeast Alaska (907) 465-5340

during work hours or 1-800-478-9300 after hours. Also, the applicant must contact by telephone the National Response Center at 1-800-424-8802.

This certification expires five (5) years after the date the certification is signed. If your project is not completed by then and work under U.S Army Corps of Engineers Permit will continue, you must submit an application for renewal of this certification no later than 30 days before the expiration date (18 AAC 15.100).

Date: June 13, 2014

James Rypkema, Section Manager
Storm Water and Wetlands