



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](http://www.dec.alaska.gov/water/wwdp)

May 15, 2013

Certified Mail: 7009-2820-0001-7169-7528

Hecla Greens Creek Mining Company  
Attn: Chris Wallace, Environmental Manager  
PO Box 32199  
Juneau, AK 99803-3299

Re: Hawk Inlet Barge Loading Facility, HECLA Greens Creek Mining Co.  
Reference No. POA-2013-30

Dear Mr. Wallace:

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 a replacement barge loading facility.

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 enclosure via email)  
Randal Vigil, USACE, Anchorage

Michael Daigneault, ADF&G  
USFWS Field Office Anchorage  
Heather Dean, 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 dredging and placement of fill material in waters of the U.S. in association with the development of a replacement barge loading facility. The applicant proposes to:

- Discharge approximately 14,400 cubic yards of clean rock fill material into approximately 0.5 acres below the plane of the high tide line (approximate elevation +18.7 feet above the 0.0 foot contour), including approximately 160 linear feet of shoreline to construct a dual use approach pad.
- Dredge approximately 100 cubic yards of “spilled” gravel from approximately 0.29 acres below the mean high water mark (approximate elevation +14.4 feet above the 0.0 foot contour) (MHW) from the existing barge face. The dredged material would be placed at the Greens Creek mine tailings disposal facility. The dredging would be accomplished using a 150 ton crane on a barge using a 3.5 cubic yard square nose clam bucket. The clam would be lowered to the dredge depth and closed. It would then be raised to the surface and the material would be placed in a gated dump truck for transit to the tailings disposal facility.

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-2013-30, 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-2013-30 posted from February 25, 2013 to March 26, 2013.

The proposed activity is located within Section 22, T. 43 S., R. 65 E., Copper River Meridian; Latitude 58.125° N., Longitude 134.755° W.; Greens Creek Mine; Admiralty Island, near 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.

3. Construction equipment shall not be operated below the ordinary high water mark if equipment is leaking fuel, oil, hydraulic fluid, or any other hazardous material. Equipment shall be inspected on a daily basis for leaks. If leaks are found the equipment shall not be used and pulled from service until the leak is repaired.
4. All work areas, material access routes, and surrounding wetlands involved in the project shall be clearly delineated and marked in such a way that equipment operators do not operate outside of the marked areas.
5. All dredged material shall be handled, transported and placed at Greens Creek mine tailings disposal facility in a manner and location sufficient to prevent the reintroduction of dredged material or suspended sediments back into Hawk Inlet, or onto the road in transit to the upland site.

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: May 15, 2013

\_\_\_\_\_  
James Rypkema, Section Manager  
Storm Water and Wetlands