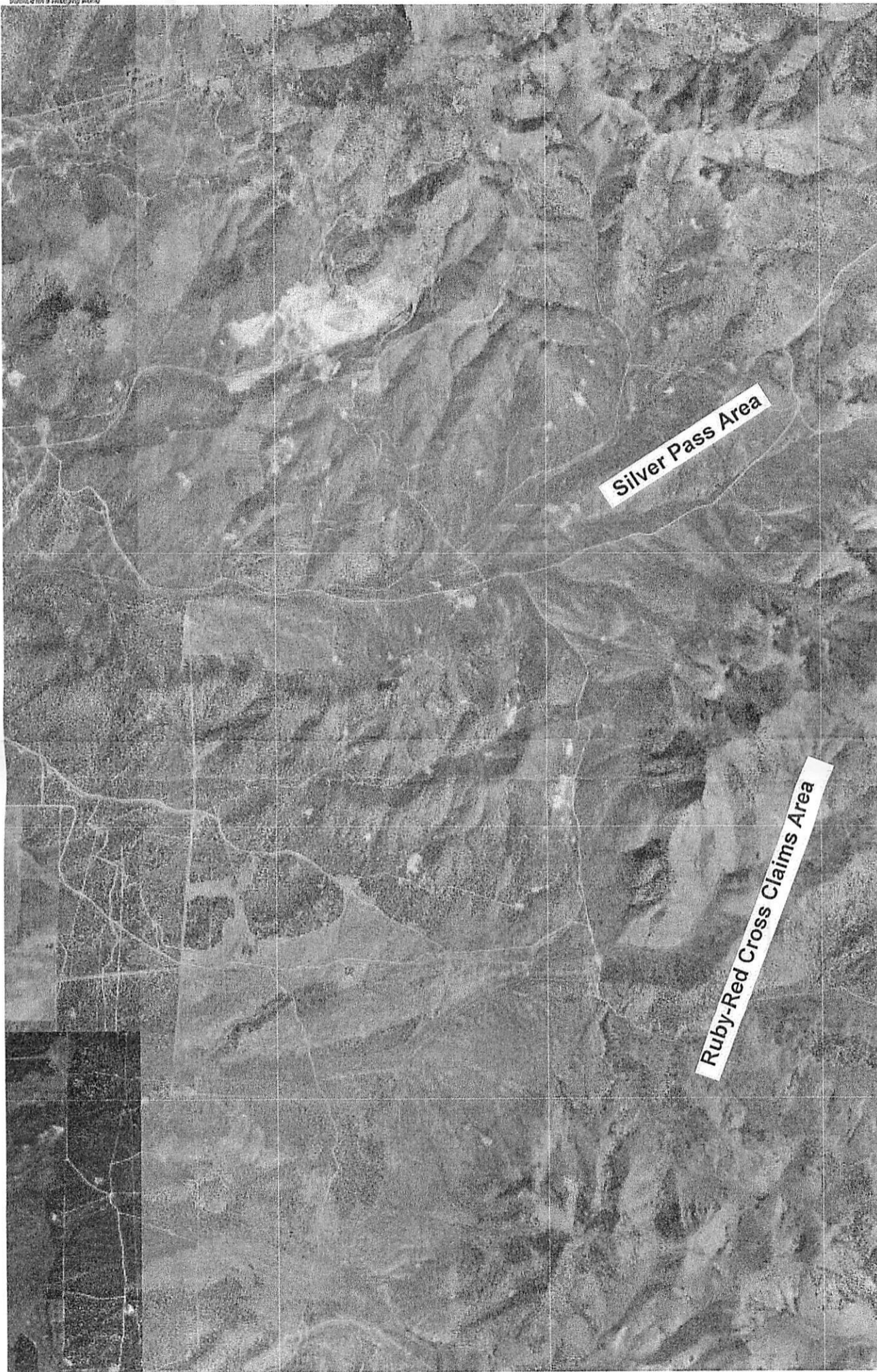


54 km SW of Provo, Utah, United States 17 Aug 1993

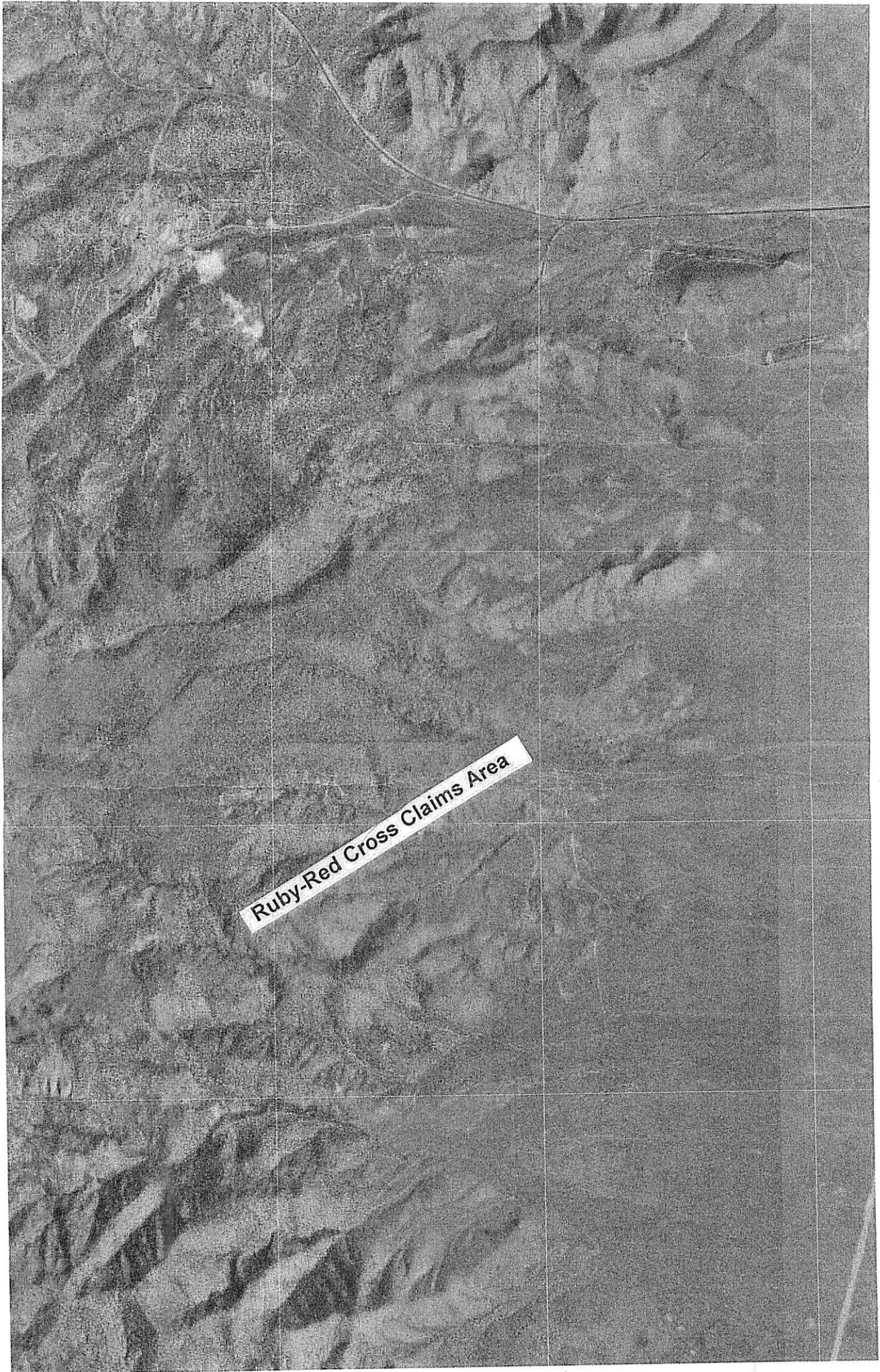


0 1Km

0 1.5Mi

Image courtesy of the US Geological Survey.

47 km SW of Provo, Utah, United States 17 Aug 1993



0 1Km 0 .5Mi

Image courtesy of the US Geological Survey.

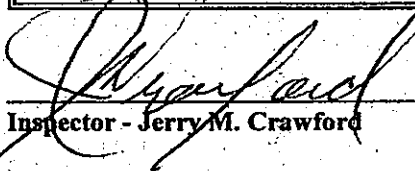
**APPENDIX C**

**Inspection Checklist**

**Granite Environmental, Inc.**

**Site Inspection Checklist - Phase I Site Assessment - (This form is to be attached to and made part of the Phase I site assessment report)**

Job # 1326-002 Property Name and Address: 4,900 Acres of Mining Claims Tintic Mining District Eureka, Utah	See Details in Report Section	Yes	No
1. Above-ground storage tanks or tanks related to emergency generators, elevators, boilers			x
2. Evidence of underground storage tanks (e.g., pumps, vent pipes, fill caps, patched asphalt or concrete)			x
3. Noxious odors			x
4. Stained soil, asphalt, or concrete			x
5. Stressed or dead vegetation			x
6. Pits, ponds, lagoons, or other standing surface water			x
7. Evidence of fill material or solid waste disposal on-site including manure stockpiles or other farm waste piles	1.1 & 6.1	x	
8. Empty drums or chemical storage containers			x
9. Suspect PCB containing equipment (e.g. transformers, hydraulic lifts, elevators)			x
10. Wells (e.g. active water, monitoring, injection or dry)	3.4	x	
11. Roads or paths with no apparent outlet			x
12. Floor drains not connected to a municipal sewer system			x
13. Sumps containing liquid or subsurface vault			x
14. Chemical storage			x
15. Stained floors			x
16. Wastewater, septic systems, cesspools or drainfields			x
17. Groundwater contamination			x
18. Industrial or manufacturing activity			x
19. Other (radon)			x

  
 Inspector - Jerry M. Crawford

Date:  
 November 8, 2001

**APPENDIX D**

**References and List of Persons Interviewed**

## References

### Governmental and/or other Reference Materials

R.L. Polk Street Directories, none

Sanborn Fire Insurance Maps, none

U.S. Department of Agriculture, Soil Conservation Service, none

U.S. Geological Survey, 1992 and 1993, Allens Ranch, Eureka and Tintic Junction, Utah, 7.5-Minute Series, 1:24,000-Scale Topographic Maps.

United States Geological Survey (U.S.G.S.), Aerial Photos were reviewed and copied using terraserver.com (MSN)

Utah Department of Environmental Quality, Division of Radiation Control, *Short-(Long) Term Radon Test Results by County and ZIP Code-as of March 2000*.

VISTA Information Solutions, ASTM Site Assessment Report I.D. 0326-002-1, September 24, 2001

### Interviews with Knowledgeable People

Name	Agency or Company Affiliation	Phone No.
Dave Perry	USDA Aerial Photo Lab	(801) 975-3503
Wayne Hedberg	DOG M	(801) 538-5286
Mark Mesch	DOG M	(801) 538-5349
Doug Bacon	DOG M	(801) 538-4282
Steven Theriot	DERR	(801) 536-4107
Glenn Greengelgh	Juab County Planning	(435) 623-3401
Bruce Armstrong	Utah County Planning	(801) 370-8344
Vern Tharp	Sellers Financial	(303) 295-1215

**APPENDIX E**

**Vista Information Solutions, Inc.  
Environmental Database Search**

# Sellers

PROPERTY INFORMATION	CLIENT INFORMATION
Project Name/Ref #: Vern Tharp 4500 Acres-Tintic District Eureka Eureka, UT 84628 Latitude/Longitude: ( 39.946273, 112.114203 )	

Site Distribution Summary			within 4 miles
<b>Agency / Database - Type of Records</b>			
<b>A) Databases searched to 4 miles:</b>			
US EPA	NPL	National Priority List	0
US EPA	CORRACTS	RCRA Corrective Actions	0
US EPA	RCRA-TSD	RCRA permitted treatment, storage, disposal facilities	0
US EPA	CERCLIS/ NFRAP	Sites under review by US EPA	2
STATE/ REG/CO	LUST	Leaking Underground Storage Tanks	0
STATE/ REG/CO	SWLF	Solid waste landfills, incinerators, or transfer stations	0
STATE	NON ASTM	Additional federal, state and regional lists	7
US EPA	TRIS	Toxic Release Inventory database	0
STATE/ CO	UST	Registered underground storage tanks	0
US EPA	GNRTR	RCRA registered small or large generators of hazardous waste	0
US EPA	RCRA Viol	RCRA violations/enforcement actions	0
US EPA/ STATE	SPILLS	ERNS and state spills lists	0
<b>LIMITATION OF LIABILITY</b> Customer proceeds at its own risk in choosing to rely on VISTA services, in whole or in part, prior to proceeding with any transaction. VISTA cannot be an insurer of the accuracy of the information, errors occurring in conversion of data, or for customer's use of data. VISTA and its affiliated companies, officers, agents, employees and independent contractors cannot be held liable for accuracy, storage, delivery, loss or expense suffered by customer resulting directly or indirectly from any information provided by VISTA.			
<b>NOTES</b>      			





# Sellers

## SITE INVENTORY

MAP ID	PROPERTY AND THE ADJACENT AREA (within 4 miles)	VISTA ID DISTANCE DIRECTION	A											
			NPL	CORRACTS	TSD	CERCLIS/NFRAP	LUST	SWLF	NON ASTM	TRIS	UST	GNRTR	VIOL	SPILLS
1	USGS REPORTED WATER WELL , UT 0	9644879 0.18 MI W							X					
2	EUREKA MILLS WEST END OF EUREKA TOWN EUREKA, UT 84628	7290720 0.51 MI NW							X					
2	EUREKA MILLS 1.25 MI W OF THE UTAH-JUAB COUNTY LINE EUREKA, UT 84628	64488659 0.51 MI NW				X								
3	USGS REPORTED WATER WELL , UT 0	9644902 0.68 MI N							X					
4	USGS REPORTED WATER WELL , UT 0	9644911 0.88 MI NE							X					
5	USGS REPORTED WATER WELL , UT 0	9644894 2.79 MI E							X					
5	USGS REPORTED WATER WELL , UT 0	9644895 2.79 MI E							X					
6	TINTIC SMELTER 2.5 MILES SOUTHWEST OF EUREKA EUREKA, UT 84628	7208530 2.96 MI SW				X			X					



An 'X' meets search criteria; a dot exceeds search criteria.

For more information call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403.

Report ID: 0386\_02\_1

Date of Report: September 24, 2001

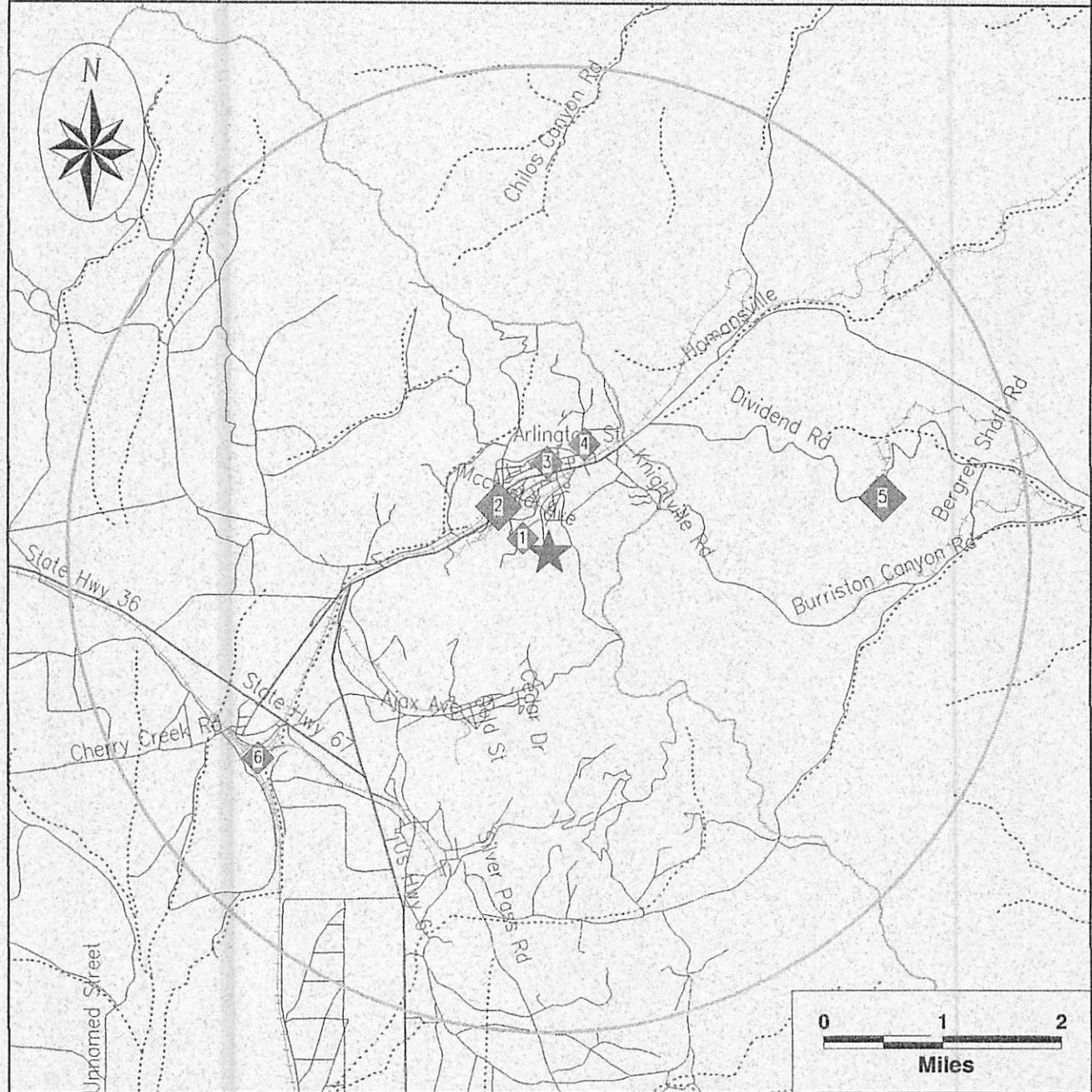
Version 2.7






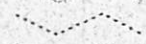

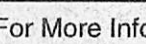
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# Sellers

## Map of Sites within 4 miles

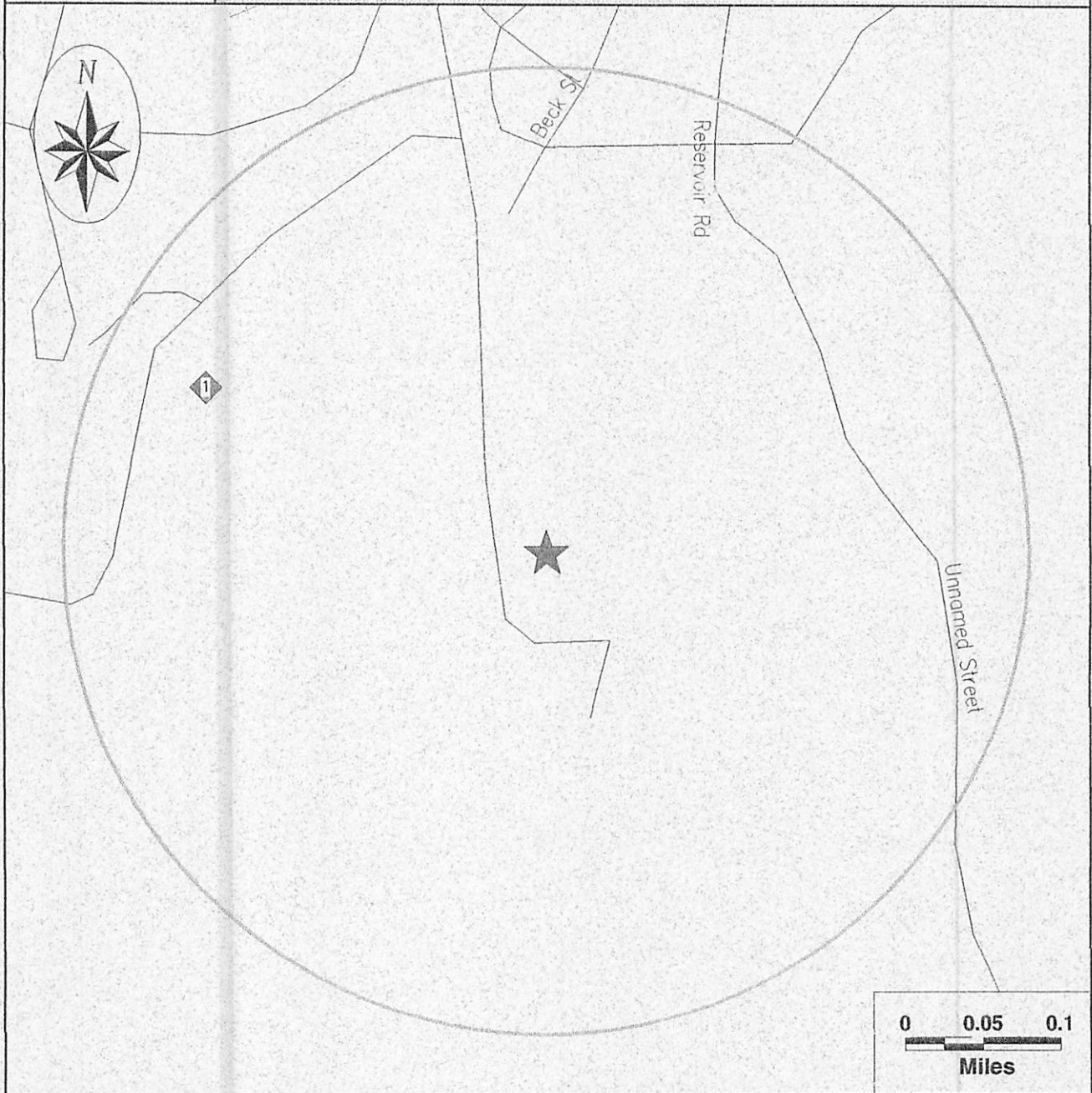


<p>Subject Site</p> 	<p>Category: A</p> <p>Single Sites </p> <p>Multiple Sites </p>	
<p> Highways and Major Roads</p> <p> Roads</p> <p> Railroads</p> <p> Rivers or Water Bodies</p> <p> Utilities</p>	<p>Categories correspond to database searches described in the Site Distribution Summary, beginning on Page #1.</p>	



# Sellers

## Map of Sites within 1/4 miles



<b>Subject Site</b> 	<b>Category:</b> A
<b>Single Sites</b> 	
<b>Multiple Sites</b> 	

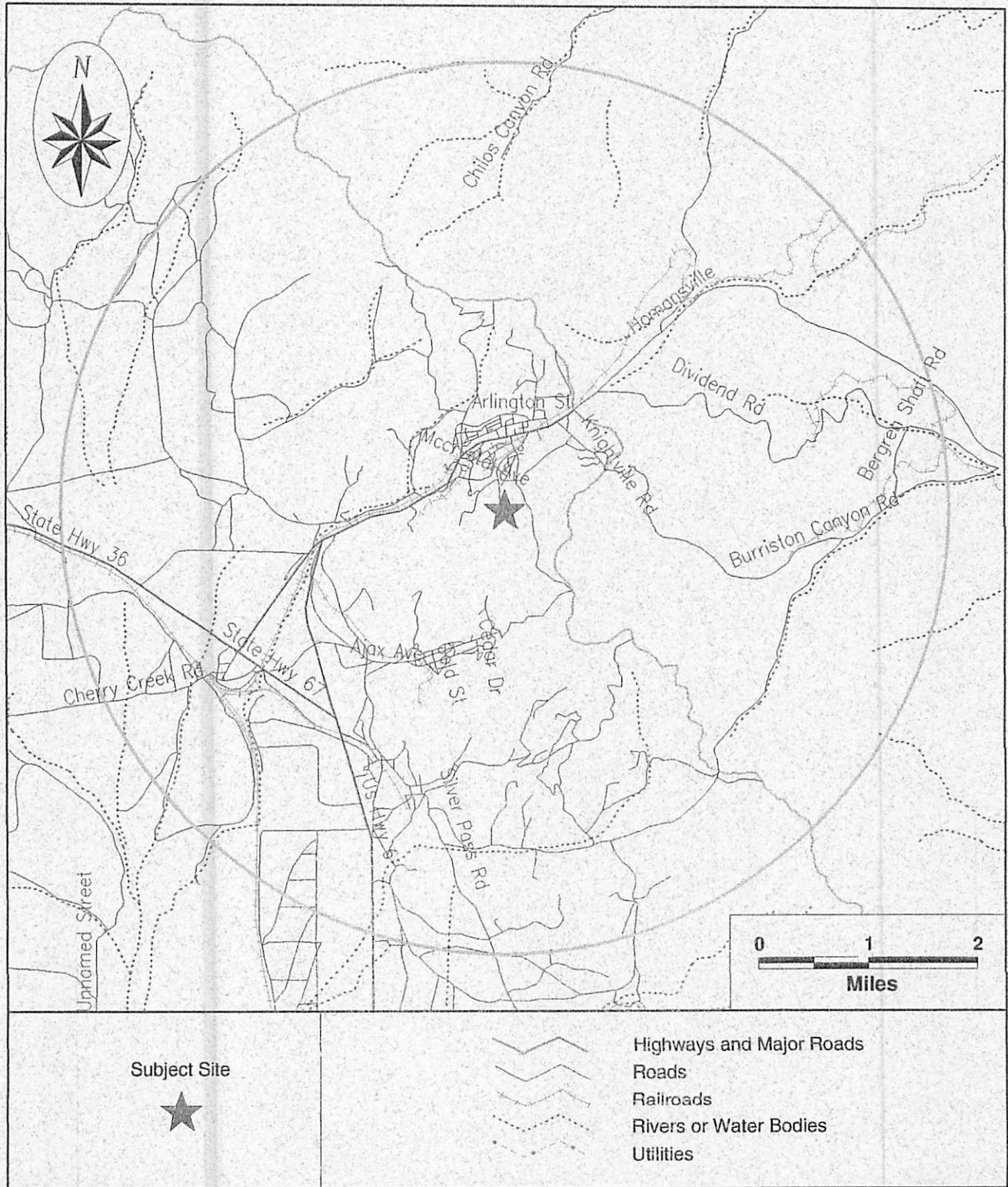
	Highways and Major Roads
	Roads
	Railroads
	Rivers or Water Bodies
	Utilities

Categories correspond to database searches described in the Site Distribution Summary, beginning on Page #1.



Sellers

Street Map



UNMAPPED SITES	VISTA ID	A										
		NPL	CORRACTIS	TSD	CERCLIS/NFRAP	LUST	SWLF	NON ASTM	TRIS	UST	GNRTR	VIOL
CARPENTER STATION 202 W MAIN ST EUREKA, UT 84628	2187544									X		
SUNSHINE MINING CO. 6 MILES SE OF EUREKA EUREKA, UT 84628	3950124						X				X	
UTAH POWER LIGHT CO - EUREKA SUB EAST SIDE, 1 MI SE OF TOWN EUREKA, UT 84628	3950213						X			X	X	
NORTH LILY PROJECT EUREKA, UT 84628	300875						X					
JUAB COUNTY ROAD DEPT. MAMMOTH RD CENTER EUREKA, UT 84628	65391699				X				X			
EUREKA CITY CORPORATION EUREKA, UT 84628	12630578						X					
LOFGREN YARD 9 MI N OF TINTIC EUREKA, UT 84628	65977119								X			
US WEST COMMUNICATIONS #671624 EUREKA RADIO SITE.GODIVA MOUNTAIN EUREKA, UT 84628	66094246								X			
MAMMOTH MILLS AND SMELTER MOUTH OF MAMMOTH GULTCH EUREKA, UT 84628	64488660			X								
MAMMOTH MILLS AND SMELTER MOUTH OF MAMMOTH GULCH EUREKA, UT 84628	7290806						X					
TINTIC HIGH SCHOOL RUAL EUREKA EUREKA, UT 84628	5562145						X					
UDOT STA. #621 US-6 E EUREKA CITY LIMITS EUREKA, UT 84628	65391653				X				X			
NORTH LILLY MINING PCB 3 MI S OF EUREKA ON HWY 6 EUREKA, UT 84628	4154719			X		X						
TINTIC UTAH METALS LLC 15988 SILVER PASS RD EUREKA, UT 84628	64494811									X		
V J'S GAS GROCERIES 514 E MAIN.HWY 6 E EUREKA EUREKA, UT 84628	66094244								X			
TINTIC SCHOOL DISTRICT 55 E MAIN/PO BOX 210 EUREKA, UT 84628	12502620						X					
SUNSHINE MINING COMPANY P O BOX 250 EUREKA, UT 84628	64502381				X				X			



An 'X' meets search criteria; a dot exceeds search criteria.

For more information call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403.

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UNMAPPED SITES	A											
	NPL	CORRACTS	TSD	CERCLIS/NFRAP	LUST	SWLF	NON ASTM	TRIS	UST	GNRTR	VIOL	SPILLS
SUNSHINE MINING EUREKA OPERATIONS BOX 250 EUREKA, UT 84628							X					

VISTA ID  
12630579



# Sellers

## DETAILS

### PROPERTY AND THE ADJACENT AREA (within 4 miles)

VISTA Address*:	<b>USGS REPORTED WATER WELL UT 0</b>	VISTA ID#:	9644879
		Distance/Direction:	0.18 MI / W
		Plotted as:	Point
<b>USGS Wells - Federal Drinking Water Sources / SRC# 3</b>		EPA/Agency ID:	N/A
Agency Address:	SAME AS ABOVE		
Facility State:	UT		
Well ID:	395652112070601		
Well Use Type:	STOCK		
Well Depth:	99.00		
Well Latitude:	39.9477777777777		
Well Longitude:	-112.11833333333		
Section Township Range:	SENESES13 T10S R3W		
Static Water Level:	25.00		
Date Well Drilled:	07/25/1965		
Well County Fips:	49023		
Fields Not Reported by the Source Agency for this Site:	Agency ID(1), Epa ID(1), Facility Name(1), Facility Address(1), Facility City(1), Facility Zip(1), Facility County(1)		

Map ID

1

VISTA Address*:	<b>EUREKA MILLS WEST END OF EUREKA TOWN EUREKA, UT 84628</b>	VISTA ID#:	7290720
		Distance/Direction:	0.51 MI / NW
		Plotted as:	Point
<b>FINDS - Facility Index System / SRC# 6</b>		EPA/Agency ID:	N/A
Agency Address:	SAME AS ABOVE		
Epa ID:	UT0002240158		
Facility Name:	EUREKA MILLS		
Facility Address:	WEST END OF EUREKA TOWN		
Facility City:	EUREKA		
Facility State:	UT		
Facility Zip:	84628		
Indian Land:	N		
Federal Facility:	N		
Tracking Program:	CERCLIS		
Program ID:	0801644		
Fields Not Reported by the Source Agency for this Site:	Agency ID(1), Facility County(1), Duns Number(1), SIC Code(1), SIC Trans(1)		

Map ID

2



\* VISTA address includes enhanced city and ZIP.

For more information call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403.

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**PROPERTY AND THE ADJACENT AREA (within 4 miles) CONT.**

VISTA Address*:	<b>EUREKA MILLS</b>	VISTA ID#:	64488659
	<b>1.25 MI W OF THE UTAH-JUAB COUNTY LINE</b>	Distance/Direction:	0.51 MI / NW
	<b>EUREKA, UT 84628</b>	Plotted as:	Point

Map ID  
**2**

<b>CERCLIS / SRC# 17</b>	Agency ID:	0801644
Agency Address:	SAME AS ABOVE	
EPA ID:	UT0002240158	
Site ID:	0801644	
Financial Management System ID:	08CF	
EPA Region:	08	
Federal Facility Indicator:	NOT A FEDERAL FACILITY	
NPL Status:	PROPOSED FOR NPL	
Action:	DISCOVERY	
Action Lead:	EPA FUND-FINANCED	
Scheduled Completion Date:	DECEMBER 31, 1997	
Actual Completion Date:	DECEMBER 15, 1997	
Action:	PROPOSED FOR THE NPL	
Action Lead:	EPA FUND-FINANCED	
Actual Completion Date:	JUNE 14, 2001	
Action:	PRELIMINARY ASSESSMENT	
Action Qualifier:	HIGH	
Action Lead:	STATE, FUND FINANCED	
Scheduled Start Date:	APRIL 6, 2000	
Scheduled Completion Date:	JUNE 30, 2000	
Actual Start Date:	APRIL 6, 2000	
Actual Completion Date:	APRIL 6, 2000	
Action:	SCREENING SITE INSPECTION	
Action Qualifier:	HIGH	
Action Lead:	STATE, FUND FINANCED	
Scheduled Start Date:	JUNE 5, 2000	
Scheduled Completion Date:	MARCH 31, 2001	
Actual Start Date:	JUNE 5, 2000	
Actual Completion Date:	JANUARY 11, 2001	
Site Description:	BOTH MILLS WERE BUILT IN 1890-93(?), AT THE WEST END OF EUREKA. THE MILLS OPERATED IN THE 1980'S AND ARE SHOWN ON 1908 SANDBORN MAPS. THE MILLS OPERATED UNTIL 1899 WHEN RAIL RATES DECREASED AND ORES WERE SENT TO SALT LAKE FOR SMELTING INSTEAD OF MILLING. THE TWO MILL SITES ARE LOCATED ON OPPOSITE SIDES OF EUREKA CREEK, WHICH DRAINS TO THE WEST.	
Financial Transaction ID:	0001	
Transaction Type:	ACTUAL OBLIGATION	
Transaction Date:	NOVEMBER 15, 2000	
Amount:	\$ 1,613.00	
Financial Transaction ID:	0003	
Transaction Type:	ACTUAL OBLIGATION	
Transaction Date:	JANUARY 9, 2001	
Amount:	\$ 385.00	
Financial Transaction ID:	0002	
Transaction Type:	ACTUAL OBLIGATION	



\* VISTA address includes enhanced city and ZIP.

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**PROPERTY AND THE ADJACENT AREA (within 4 miles) CONT.**

Transaction Date:	OCTOBER 25, 2000
Amount:	\$ 396.00
Financial Transaction ID:	0001
Transaction Type:	DEOBLIGATION
Transaction Date:	NOVEMBER 15, 2000
Amount:	\$ 1,613.00
Financial Transaction ID:	0002
Transaction Type:	DEOBLIGATION
Transaction Date:	OCTOBER 25, 2000
Amount:	\$ 396.00
Financial Transaction ID:	0003
Transaction Type:	DEOBLIGATION
Transaction Date:	JANUARY 9, 2001
Amount:	\$ 385.00
Financial Transaction ID:	0001
Transaction Type:	EXTRAMURAL OUTLAY (PAYMENT)
Transaction Date:	NOVEMBER 15, 2000
Amount:	\$ 1,613.00
Financial Transaction ID:	0002
Transaction Type:	EXTRAMURAL OUTLAY (PAYMENT)
Transaction Date:	OCTOBER 25, 2000
Amount:	\$ 396.00
Financial Transaction ID:	0003
Transaction Type:	EXTRAMURAL OUTLAY (PAYMENT)
Transaction Date:	JANUARY 9, 2001
Amount:	\$ 385.00
Operable Unit ID:	07
Operable Unit Name:	RAILROADS
Operable Unit ID:	05
Operable Unit Name:	KEYSTONE
Operable Unit ID:	06
Operable Unit Name:	GROUND WATER
Operable Unit ID:	02
Operable Unit Name:	EAST EUREKA (GODIVA)
Operable Unit ID:	03
Operable Unit Name:	WEST UEREKA (BULLION BECK)
Operable Unit ID:	04
Operable Unit Name:	GROUNDWATER OTHER
Operable Unit ID:	01
Operable Unit Name:	CENTRAL EUREKA
Operable Unit ID:	00
Operable Unit Name:	SITEWIDE
Alias ID:	101
Alias Name:	BULLION BECK MILL
Address:	WEST END OF EUREKA TOWN



\* VISTA address includes enhanced city and ZIP.

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**PROPERTY AND THE ADJACENT AREA (within 4 miles) CONT.**

	EUREKA UT
Alias ID:	102
Alias Name:	BULLION BECK CHAMPION MILL
Address:	WEST END OF EUREKA TOWN EUREKA UT
Alias ID:	103
Alias Name:	EUREKA HILL MILL
Address:	WEST END OF EUREKA TOWN EUREKA UT
Alias ID:	104
Alias Name:	EUREKA MILLS
Address:	INTERSECTION OF US HWY 6 AND SHRIVER ST EUREKA UT 84628
Alias ID:	105
Alias Name:	EUREKA MILLS
Fields Not Reported by the Source Agency for this Site:	USGS Hydrologic Unit Code(1), Ownership Type(1), Hazardous Waste Docket Flag(1), Site Incident Category Description(9), Action Qualifier(2), Scheduled Start Date(2), Actual Start Date(2), Scheduled Completion Date(1), (1), (1), (1), (1), (2), (2), (2), (2), (2), (2), (2), (2), (2), (1), (1), (1), Address(1), (1)

VISTA Address*:	<b>USGS REPORTED WATER WELL</b> UT 0	VISTA ID#:	9644902	Map ID <b>3</b>
		Distance/Direction:	0.68 MI / N	
		Plotted as:	Point	
<b>USGS Wells - Federal Drinking Water Sources / SRC# 3</b>		EPA/Agency ID:	N/A	

Agency Address:	SAME AS ABOVE
Facility State:	UT
Well ID:	395725112065200
Well Use Type:	PUBLIC SUPPLY
Well Depth:	379.0
Well Latitude:	39.956944444444
Well Longitude:	-112.1144444444
Section Township Range:	NESWNWS18T10 SR 2 W
Static Water Level:	40.00
Date Well Drilled:	01/01/1970
Well County Fips:	49023
Fields Not Reported by the Source Agency for this Site:	Agency ID(1), Epa ID(1), Facility Name(1), Facility Address(1), Facility City(1), Facility Zip(1), Facility County(1)

VISTA Address*:	<b>USGS REPORTED WATER WELL</b> UT 0	VISTA ID#:	9644911	Map ID <b>4</b>
		Distance/Direction:	0.88 MI / NE	
		Plotted as:	Point	
<b>USGS Wells - Federal Drinking Water Sources / SRC# 3</b>		EPA/Agency ID:	N/A	

Agency Address:	SAME AS ABOVE
Facility State:	UT
Well ID:	395733112063000



\* VISTA address includes enhanced city and ZIP.

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**PROPERTY AND THE ADJACENT AREA (within 4 miles) CONT.**

Well Use Type:	PUBLIC SUPPLY
Well Depth:	390.0
Well Latitude:	39.9591666666666
Well Longitude:	-112.1083333333
Section Township Range:	SWNWNE18T10 SR 2 W
Static Water Level:	40.00
Date Well Drilled:	01/01/1970
Well County Fips:	49023
Fields Not Reported by the Source	Agency ID(1), Epa ID(1), Facility Name(1), Facility Address(1), Facility City(1), Facility Zip(1), Facility County(1)
Agency for this Site:	

VISTA Address*:	<b>USGS REPORTED WATER WELL UT 0</b>	VISTA ID#:	9644894
		Distance/Direction:	2.79 MI / E
		Plotted as:	Point
<b>USGS Wells - Federal Drinking Water Sources / SRC# 3</b>		EPA/Agency ID:	N/A

Map ID  
**5**

Agency Address:	SAME AS ABOVE
Facility State:	UT
Well ID:	395710112034000
Well Use Type:	UNUSED
Well Latitude:	39.9527777777777
Well Longitude:	-112.0611111111
Well County Fips:	49049

VISTA Address*:	<b>USGS REPORTED WATER WELL UT 0</b>	VISTA ID#:	9644895
		Distance/Direction:	2.79 MI / E
		Plotted as:	Point
<b>USGS Wells - Federal Drinking Water Sources / SRC# 3</b>		EPA/Agency ID:	N/A

Map ID  
**5**

Agency Address:	SAME AS ABOVE
Facility State:	UT
Well ID:	395710112034001
Well Use Type:	UNUSED
Well Latitude:	39.9527777777777
Well Longitude:	-112.0611111111
Section Township Range:	NENWSWS15T10 SR 2 W
Well County Fips:	49049

VISTA Address*:	<b>TINTIC SMELTER 2.5 MILES SOUTHWEST OF EUREKA EUREKA, UT 84628</b>	VISTA ID#:	7208530
		Distance/Direction:	2.96 MI / SW
		Plotted as:	Point
<b>FINDS - Facility Index System / SRC# 6</b>		EPA/Agency ID:	N/A

Map ID  
**6**

Agency Address:	SAME AS ABOVE
Epa ID:	UT0001958453
Facility Name:	TINTIC SMELTER
Facility Address:	2.5 MILES SOUTHWEST OF EUREKA
Facility City:	EUREKA
Facility State:	UT
Facility Zip:	84628



**PROPERTY AND THE ADJACENT AREA (within 4 miles) CONT.**

Indian Land:	N
Federal Facility:	N
Tracking Program:	CERCLIS
Program ID:	0801616
Fields Not Reported by the Source Agency for this Site:	Agency ID(1), Facility County(1), Duns Number(1), SIC Code(1), SIC Trans(1)
<b>CERCLIS / SRC# 17</b>	<b>Agency ID: 0801616</b>
Agency Address:	SAME AS ABOVE
EPA ID:	UT0001958453
Site ID:	0801616
EPA Region:	08
Ownership Type	PRIVATE
Federal Facility Indicator:	NOT A FEDERAL FACILITY
NPL Status:	NOT ON THE NPL
Site Incident Category Description	MINES/TAILINGS
Action:	DISCOVERY
Action Lead:	STATE, FUND FINANCED
Scheduled Completion Date	JUNE 30, 1997
Actual Completion Date:	APRIL 30, 1997
Action:	PRELIMINARY ASSESSMENT
Action Qualifier	LOW
Action Lead:	STATE, FUND FINANCED
Scheduled Completion Date	NOVEMBER 13, 1998
Actual Completion Date:	OCTOBER 7, 1998
Action:	SCREENING SITE INSPECTION
Action Qualifier	NFRAP (NO FUTHER REMEDIAL ACTION PLANNED)
Action Lead:	STATE, FUND FINANCED
Actual Completion Date:	MAY 1, 2001
Site Description:	MILL BUILT IN 1908 ON THE OUTSKIRTS OF THE PRESENT DAY GHOST TOWN OF SILVER CITY, UT. BEFORE THE END OF 1908 TWO LEAD FUNACES, EACH HAVING A CAPICITY OF 250 TONS, WERE OPERATING AND A COPPER FURNACE WAS ABOUT TO BE PLACED IN OPERATION. TWO ADDITIO NAL LEAD FURNACES WERE ADDED IN 1909. THE SMELTER WAS DISMANTLED BY KNIGHT IN 1915 AND IT WAS MOVED TO SLC. POP.TARGETS ARE PRESENT WITHIN ONE-HALF TO ONE-PLUS MI. OF THE SITE. A LEACH PAD WHICH IS IN CLOSURE IS LOCATED @2000 FT TO THE SOUTH.
Operable Unit ID:	00
Operable Unit Name:	SITEWIDE
Alias ID:	101
Alias Name:	JESSE KNIGHT SMELTER
Fields Not Reported by the Source Agency for this Site:	Financial Management System ID(1), USGS Hydrologic Unit Code(1), Hazardous Waste Docket Flag(1), Action Qualifier(1), Scheduled Start Date(3), Actual Start Date(3), Scheduled Completion Date(1), (1), Description(1), (1), (1), (1), Address(1), (1)



**\* VISTA address includes enhanced city and ZIP.**

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**UNMAPPED SITES**

VISTA Address*:	<b>JUAB COUNTY ROAD DEPT. MAMMOTH RD CENTER EUREKA, UT 84628</b>	VISTA ID#:	65391699
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<b>STATE LUST - State Leaking Underground Storage Tank / SRC# 499</b>	Agency ID:	2000608
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<b>Agency Address:</b>	SAME AS ABOVE
<b>Facility ID #:</b>	2000608
<b>Facility Name:</b>	JUAB COUNTY ROAD DEPT.
<b>Facility Address:</b>	MAMMOTH RD CENTER EUREKA, UT 84628
<b>Facility County:</b>	JUAB
<b>Date Closed:</b>	9/26/1996
<b>Release ID #:</b>	JOW
<b>Project Manager:</b>	TAMIE CALL
<b>Notification Date:</b>	6/26/1996
<b>Media Affected:</b>	NOT REPORTED
<b>Substance Leaked:</b>	NOT REPORTED
<b>Discovery Date:</b>	NOT REPORTED
<b>Owner Name:</b>	JUAB COUNTY UTAH
<b>Owner Address:</b>	160 N MAIN ST NEPHI, UT 84648

VISTA Address*:	<b>MAMMOTH MILLS AND SMELTER MOUTH OF MAMMOTH GULCH EUREKA, UT 84628</b>	VISTA ID#:	64488660
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<b>CERCLIS / SRC# 17</b>	Agency ID:	0801645
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<b>Agency Address:</b>	SAME AS ABOVE
<b>EPA ID:</b>	UT0002241917
<b>Site ID:</b>	0801645
<b>EPA Region:</b>	08
<b>Federal Facility Indicator:</b>	NOT A FEDERAL FACILITY
<b>NPL Status:</b>	NOT ON THE NPL
<b>Action:</b>	DISCOVERY
<b>Action Lead:</b>	EPA FUND-FINANCED
<b>Scheduled Completion Date</b>	DECEMBER 31, 1997
<b>Actual Completion Date:</b>	DECEMBER 15, 1997
<b>Action:</b>	PRELIMINARY ASSESSMENT
<b>Action Qualifier</b>	LOW
<b>Action Lead:</b>	STATE, FUND FINANCED
<b>Scheduled Completion Date</b>	SEPTEMBER 30, 1999
<b>Actual Completion Date:</b>	SEPTEMBER 21, 1999
<b>Site Description:</b>	BOTH MILLS WERE BUILT IN 1890-93 (?), AT THE MOUTH OF MAMMOTH CANYON. MILLS AND SMELTERS ARE NOTED IN SOME HISTORICAL ACCOUNTS AS HAVING BEEN LOCATED WITHIN THE TOWN OF MAMMOTH AS EARLY AS 1873. THE MILLS OPERATED UNTIL 1899 WHEN RAIL RATES DECREASED AND ORES WERE SENT TO SALT LAKE FOR SMELTING INSTEAD OF MILLING.



\* VISTA address includes enhanced city and ZIP.

For more information call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403.

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**UNMAPPED SITES CONT.**

<b>Operable Unit ID:</b>	00
<b>Operable Unit Name:</b>	SITEWIDE
<b>Alias ID:</b>	101
<b>Alias Name:</b>	MAMMOTH MILL
<b>Address</b>	MOUTH OF MAMMOTH GULCH EUREKA  UT
<b>Alias ID:</b>	102
<b>Alias Name:</b>	FARRELL MILL
<b>Address</b>	MOUTH OF MAMMOTH GULCH EUREKA  UT
<b>Alias ID:</b>	103
<b>Alias Name:</b>	SIOUX MILL
<b>Address</b>	MOUTH OF MAMMOTH GULCH EUREKA  UT
<b>Fields Not Reported by the Source Agency for this Site:</b>	Financial Management System ID(1), USGS Hydrologic Unit Code(1), Ownership Type(1), Hazardous Waste Docket Flag(1), Site Incident Category Description(2), Action Qualifier(1), Scheduled Start Date(2), Actual Start Date(2), (1), (1), (1), (1)

<b>VISTA Address*:</b>	<b>UDOT STA. #621 US-6 E EUREKA CITY LIMITS EUREKA, UT 84628</b>	<b>VISTA ID#:</b>	65391653
<b>STATE LUST - State Leaking Underground Storage Tank / SRC#</b>	<b>499</b>	<b>Agency ID:</b>	2000214

<b>Agency Address:</b>	SAME AS ABOVE
<b>Facility ID #:</b>	2000214
<b>Facility Name:</b>	UDOT STA. #621
<b>Facility Address:</b>	US-6 E EUREKA CITY LIMITS EUREKA, UT 84628 JUAB
<b>Facility County:</b>	JUAB
<b>Date Closed:</b>	9/11/1998
<b>Release ID #:</b>	IDI
<b>Project Manager:</b>	EDWARD FALL
<b>Notification Date:</b>	6/21/1993
<b>Media Affected:</b>	NOT REPORTED
<b>Substance Leaked:</b>	NOT REPORTED
<b>Discovery Date:</b>	NOT REPORTED
<b>Owner Name:</b>	UTAH STATE FLEET OPS/FUEL DISPENSING
<b>Owner Address:</b>	ATTN STEVE SALTZGIVER 4120 STATE OFFICE BLDG SALT LAKE CITY, UT 84114



**\* VISTA address includes enhanced city and ZIP.**

For more information call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403.

Report ID: 0386\_02\_1

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**UNMAPPED SITES CONT.**

VISTA Address*:	<b>NORTH LILLY MINING PCB 3 MI S OF EUREKA ON HWY 6 EUREKA, UT 84628</b>	VISTA ID#:	4154719
<b>CERCLIS / SRC# 17</b>		Agency ID:	0801341
Agency Address:	SAME AS ABOVE		
EPA ID:	UTD988078960		
Site ID:	0801341		
Financial Management System ID	08Y7		
EPA Region:	08		
USGS Hydrologic Unit Code	16030005		
Ownership Type	UNKNOWN		
Federal Facility Indicator:	NOT A FEDERAL FACILITY		
NPL Status:	NOT ON THE NPL		
Hazardous Waste Docket Flag	NOT ON THE HAZARDOUS WASTEDOCKET		
Site Incident Category Description	MINES/TAILINGS		
Site Description:	ILLEGAL PCB TRANSFORMER DISPOSAL AT A MINE. INVESTIGATION 5/93.		
Operable Unit ID:	00		
Operable Unit Name:	SITEWIDE		
Fields Not Reported by the Source	(1), Description(1), (1), (1), (1)		
Agency for this Site:			

VISTA Address*:	<b>SUNSHINE MINING COMPANY P O BOX 250 EUREKA, UT 84628</b>	VISTA ID#:	64502381
<b>STATE LUST - State Leaking Underground Storage Tank / SRC# 499</b>		Agency ID:	2000132
Agency Address:	SAME AS ABOVE		
Facility ID #:	2000132		
Facility Name:	SUNSHINE MINING COMPANY		
Facility Address:	P O BOX 250 EUREKA, UT 84628		
Facility County:	JUAB		
Date Closed:	8/18/1992		
Release ID #:	FMC		
Project Manager:	BEN ANDERSON		
Notification Date:	12/29/1989		
Media Affected:	NOT REPORTED		
Substance Leaked:	NOT REPORTED		
Discovery Date:	NOT REPORTED		
Owner Name:	SUNSHINE MINING COMPANY		
Owner Address:	P O BOX 250 EUREKA, UT 84628		



\* VISTA address includes enhanced city and ZIP.

For more information call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403.

Report ID: 0386\_02\_1

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# Sellers

## DESCRIPTION OF DATABASES SEARCHED

### A) DATABASES SEARCHED TO 4 MILES

**NPL**  
**SRC#: 19** VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for National Priorities List was July, 2001.**

The NPL Report is the US EPA's registry of the nation's worst uncontrolled or abandoned hazardous waste sites. NPL sites are targeted for possible long-term remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980.

**CERCLIS**  
**SRC#: 17** VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Comprehensive Environmental Response, Compensation and Liability Information Sys was July, 2001.**

The CERCLIS database is a comprehensive listing of known or suspected uncontrolled or abandoned hazardous waste sites. These sites have either been investigated, or are currently under investigation by the U.S. EPA for the release, or threatened release of hazardous substances. Once a site is placed in CERCLIS, it may be subjected to several levels of review and evaluation, and ultimately placed on the National Priorities List (NPL).

**NFRAP**  
**SRC#: 18** VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for No Further Remedial Action Planned was July, 2001.**

The No Further Remedial Action Planned Report (NFRAP), also known as the CERCLIS Archive, contains information pertaining to sites which have been removed from the U.S. EPA's CERCLIS database. NFRAP sites may be sites where, following an initial investigation, either no contamination was found, contamination was removed quickly without need for the site to be placed on the NPL, or the contamination was not serious enough to require federal Superfund action or NPL consideration.

**CORRACTS**  
**SRC#: 14** VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for RCRIS Corrective Action Sites was June, 2000.**

The CORRACTS database contains information concerning RCRA facilities that have conducted, or are currently conducting a corrective action. A Corrective Action Order is issued pursuant to RCRA Section 3008 (h) when there has been a release of hazardous waste or constituents into the environment from a RCRA facility. Corrective actions may also be imposed as a requirement of receiving and maintaining a TSDF permit.





ERNS  
SRC#: 8

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Emergency Response Notification System was December, 2000.**

ERNS is a national computer database system that is used to store information on the sudden and/or accidental release of hazardous substances, including petroleum, into the environment. The ERNS reporting system contains preliminary information on specific releases, including the spill location, the substance released, and the responsible party.

RCRIS-TSD  
SRC#: 12

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for RCRIS Treatment, Storage and Disposal Facilities was June, 2000.**

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA TSDs are facilities which treat, store and/or dispose of hazardous waste.

RCRIS-TSDC  
SRC#: 556

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for RCRIS TSDs Subject to Corrective Action was June, 2000.**

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA TSDCs are treatment, storage and/or disposal facilities that are subject to corrective action under RCRA.

RCRA-LQG  
SRC#: 16

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for RCRIS Large Quantity Generators was June, 2000.**

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA Large Generators are facilities which generate at least 1000 kg./month of non-acutely hazardous waste (or 1 kg./month of acutely hazardous waste).

RCRIS-SQG  
SRC#: 15

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for RCRIS Small Quantity Generators was June, 2000.**

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA Small Quantity Generators are facilities which generate less than 1000 kg./month of non-acutely hazardous waste.



**RCRIS-VIOL**  
**SRC#: 11**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for RCRIS Facilities with Violations was June, 2000.**

The Resource Conservation and Recovery Act Information System (RCRIS) identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRIS Violations report contains information concerning facilities that have been cited for violations of RCRA, as well as any enforcement actions taken against the facility.

**SWLF**  
**SRC#: 23**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for USGS Solid Waste Landfills was December, 1991.**

This database is provided by the United States Geological Survey. The agency may be contacted at: 703-648-5613.

**SWLF**  
**SRC#: 495**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Closed Solid Waste Disposal Sites was May, 2001.**

This database is provided by the Department of Environmental Health, Bureau of Solid and Hazardous Waste. The agency may be contacted at: 801-538-6170.

**SWLF**  
**SRC#: 496**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Landfill Inventory was May, 2001.**

This database is provided by the Department of Environmental Health, Bureau of Solid and Hazardous Waste. The agency may be contacted at: 801-538-6170.

**SWLF-CO**  
**SRC#: 493**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Salt Lake County Inventory of Land Disposal Sites was February, 1999.**

This database is provided by the Department of Health, Bureau of Solid and Hazardous Waste. The agency may be contacted at: 801-538-6170. This database contains information from the: A search of this database revealed the following facilities located in the zip code searched. Also included are sites with incomplete addresses reported to be located in the city searched. If no city name has been reported, the county name was used.

**SPILLS**  
**SRC#: 498**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Hazardous Spills was January, 2001.**

This database is provided by the Department of Environmental Health. The agency may be contacted at: 801-536-4113.

**LUST**  
**SRC#: 499**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Leaking Underground Storage Tanks was July, 2001.**

This database is provided by the Dept. of Environmental Health, Division of Environmental Response Remediation. The agency may be contacted at: 801-536-4100.



**NPLLNS**  
**SRC#: 1303**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Federal Superfund Liens was October, 1991.**

This historical database has information on liens filed against real property in order to recover remedial action expenditures or when the property owner receives notification of potential liability.

**UST**  
**SRC#: 500**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Underground Storage Tanks was July, 2001.**

This database is provided by the Department of Environmental Health. The agency may be contacted at: 801-536-4100. Be advised that some states do not require registration of heating oil tanks, especially those used for residential purposes.

**TRIS**  
**SRC#: 2**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Toxic Release Inventory System was January, 1998.**

All facilities that manufacture, process, or import toxic chemicals in quantities in excess of 25,000 pounds per year are required to register with the EPA under Section 313 of the Superfund Amendments and Reauthorization Act (SARA Title III) of 1986. Data contained in the TRIS system covers approximately 20,000 sites and 75,000 chemical releases.

**USGS-WELLS**  
**SRC#: 3**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for USGS Water Wells was March, 1998.**

The Ground Water Site Inventory (GWSI) database was provided by the United States Geological Survey (USGS). The database contains information for over 1,000,000 wells and other sources of groundwater which the USGS has studied, used or documented during research.

**DRY-WELL**  
**SRC#: 494**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Dry Wells was August, 2000.**

The Dry Well Report contains summary-level information concerning dry and/or injection wells.

**FINDS**  
**SRC#: 6**

VISTA conducts a database search to identify all sites within 4. mile of your property.  
**The agency release date for Facility Index System was February, 1999.**

The FINDS report is an inventory of all facilities that are regulated or tracked by the U.S. Environmental Protection Agency. These facilities are assigned an identification number that serves as a cross-reference for other databases in the EPA's program system. Each FINDS record indicates the EPA Program Office that is responsible for the tracking of the facility.

End of Report



**APPENDIX G**

**Notes of Interviews with Government Representatives**

PROJECT CODE 0326-002

Granite Environmental, Inc.

Telephone Conversation Record

Date: 3 OCT Time: 1:30 PM

TO: STEVEN THARIOT PHONE NUMBER: (801) 536-4107  
DEER ADMINISTRATOR

FROM: JEFFREY CAWTON RE: FUTURE CERCLA SITE  
INVESTIGATION IN THE TINTIC  
MINE DISTRICT

GRANITE ASKED MR. THARIOT ABOUT CURRENT CERCLA SITE INVESTIGATORY WORK AS WELL AS THE IDENTIFICATION OF NEW TARGETS FOR CERCLA INCLUSION. HE LISTED THE CURRENT SITES WHICH WERE THE SAME AS THOSE PROVIDED BY DOUG BAER. HE DID, HOWEVER, SAY THE STATE WAS PLANNING THREE "INNOVATIVE ASSESSMENTS" AT LOCATIONS NOT PREVIOUSLY INVESTIGATED. HE CLARIFIED THE TERM INNOVATIVE ASSESSMENT WHICH IS USED BY DEER AS A STATE FUNDED INVESTIGATION AND NOT A CERCLA OR FEDERALLY SPONSORED INVESTIGATION. THE THREE SITES IN THE TINTIC DISTRICT WHERE SUCH WORK IS BEING PLANNED IS: HOMANVILLE, SILVER CITY MILL AND SMELTER (IN THE TOWN OF SILVER CITY), AND SILVER PASS/ BIG CANYON WHICH IS SOUTHWEST OF EUREKA. THE SILVER PASS LOCATION HAS HAD SOME OLDER TAILINGS IMPROVEMENTS BREACHED AND SEDIMENTS HAVE FLOWED INTO A DRAINAGE WHICH COULD IMPACT SURFACE WATER QUALITY IN THE ALBERTA AREA WHICH IS HEAVILY DEVELOPED FOR AGRICULTURE. NONE OF THESE PROJECTS HAVE ACTUALLY STARTED BUT WILL IN THE NEXT SEVERAL MONTHS TO YEARS.

COPIES: PROJECT FILE & ESA REPORT

FOLLOW-UP: \_\_\_\_\_

PROJECT CODE 0326-002

Granite Environmental, Inc.

Telephone Conversation Record

Date: 3 OCT Time: 10:30 AM  
TO: WAYNE HERBERG PHONE NUMBER: (801) 538 5286  
DOGM MINERAL RECLAMATION PROGRAM

FROM: JERRY CRANITE RE: MINED LAND RECLAMATION  
IN THE TINTIC MINING DIST.

GRANITE ASKED MR. HERBERG: 1. HAS THE NORTH LILY MINING CO. WAMP LEACH PILE NEAR THE OLD TINTIC SMELTER SITE BEEN CLOSED. HE SAID THAT INDEED IT HAD BEEN CLOSED AS FAR AS CONTINUED WORK, OTHER THAN SOME PERIODIC SAMPLING OF FLUIDS THAT MAY CONTINUE TO BE TRAPPED IN A SMALL DOWN SPREAD BUMP. ALL OTHER WORK SUCH AS CAPPING THE SITE WITH SOIL AND SEEDING WITH NATIVE PLANT SEED HAS BEEN COMPLETED. HE ALSO SAID THE LEVEL OF PLANT GROWTH MET THE MINIMUM CONCENTRATION DESCRIBED IN THE PLAN. GRANITE ASKED WHAT FUTURE PROSPECTS FOR MINING RECLAMATION MIGHT BE PLANNED FOR THE TINTIC DISTRICT. HE SAID NONE CURRENTLY.

FINALLY, GRANITE ASKED WHAT MIGHT BE PLANNED FOR WASTE DUMPS IN THE VARIOUS PARTS OF THE TINTIC DISTRICT. HE SAID HIS DEPARTMENT HAS NO PLANS FOR DUMP MANAGEMENT, BUT HE RECOMMENDED GRANITE CALL VARIOUS PERSONNEL AT DEDR.

COPIES: PROJECT FILE AND ESA REPORT.

FOLLOW-UP: \_\_\_\_\_

PROJECT CODE 0326-002

Granite Environmental, Inc.

Telephone Conversation Record

TO: MARK MESSON Date: 3/07 Time: 9:45 AM  
DEPT. OF OIL & GAS MINING PHONE NUMBER: (801) 538-5349

FROM: JERRY CRAWFORD RE: MINED-LAND RECLAMATION  
CLOSURES.

GRANITE ASK MR. MESSON, THE ABANDONED MINE LAND ADMINISTRATOR WITH THE DIVISION OF OIL & GAS MINING IF THERE ARE FUTURE PLANS FOR MINE LAND RECLAMATION OR ABANDONED MINE WORKINGS (UNDERGROUND) CLOSURE. HE STATED NO IMMEDIATE CLOSURE PROJECTS ARE PLANNED; HOWEVER, HIS DEPARTMENT'S PLANNING OF CLOSURE OF OLD UNDERGROUND WORKINGS IN THE VICINITY OF THE TOWN OF MAMMOTH. HE DID NOT HAVE A SET DATE FOR THE PROJECT. HE STATED FURTHER THAT SUCH A PROJECT WOULD BE PRECEDED BY AN INVENTORING OF ALL OPEN WORKINGS PRIOR TO THE CLOSURE PROJECT. HE ALSO SAID THAT ANY ACID MINE DRAINAGE, IF ANY EXISTS, WILL BE ABATED AT THAT TIME.

GRANITE ALSO ASKED ABOUT LIABILITY BY LAND OWNERS FOR SUCH A PROJECT. HE SAID ALL CLOSURES OF ABANDONED MINES WOULD BE FUNDED BY THE STATE; HOWEVER, ANY RECENTLY ACTIVE MINE OPERATION TO BE CLOSED WOULD OR COULD BE THE RESPONSIBILITY OF THE OWNER.

COPIES: PROJECT FILE AND ESA REPORT.

FOLLOW-UP: \_\_\_\_\_

PROJECT CODE 0326-002

Granite Environmental, Inc.

Telephone Conversation Record

Date: 3-OCT Time: 9:25 AM

TO: Douglas Baron  
DEPP-CECLA

PHONE NUMBER: (801) 536-7282

FROM: Jerry Crawford RE: CERCLIS SITES IN THE TINTIC  
MINING DISTRICT

WHEN ASKED ABOUT CERCLIS LISTINGS IN AND AROUND EUREKA, UTAH IN THE TINTIC MINING DISTRICT, HE STATED THERE WERE FOUR, WHICH EXCLUDES THE TOWN OF EUREKA WHICH IS BEING SLOPED FOR LEAD AS A SUPER FUND SITE & NORTH LILY PCB SITE UTD 988078960

2 TINTIC SMELTER	<sup>SEER. FIGHT</sup> UTD 0001958353	(7000 AM Pp.)
3 EUREKA MILLS	UTD 0002240158	
4 MAMOTH MILLS <sup>TOWN</sup> SMELTER	UTD 0002241917	

HE DID NOT SAY EXACTLY WHERE THE CERCLIS SITES ARE LOCATED, BUT HE DID SAY THAT THE EXACT LOCATION CAN BE FOUND USING THEIR INTERACTIVE MAP ON THE INTERNET.

COPIES: TO FILE & ESA REPORT  
FOLLOW-UP: \_\_\_\_\_



PROJECT CODE 0326-002

Granite Environmental, Inc.

Telephone Conversation Record

TO: MR. GLENN GREENGLASS Date: 3/10/77 Time: 2:30 PM  
SUABCO PLANNER PHONE NUMBER: (835) 623-3401

FROM: JERRY CANTFORD RE: ZONING OF PROPERTY  
IN SUAB COUNTY.

GRANITE INQUIRED OF MR. GREENGLASS CONCERNING THE ZONING OF THE VARIOUS CLAIMS WITHIN THE BOUNDARY OF SUAB COUNTY. ACCORDING TO MR. GREENGLASS ALL OF THE PROPERTY FOR WHICH WE DESIRED ZONING INFORMATION HAS BEEN ZONED FOR GRAZING, MINING, RECREATION AND FORESTRY (C.M.R.F.).

COPIES: TO PROJ. FILE + ESA  
FOLLOW-UP: N/A

PROJECT CODE 0376-002

Granite Environmental, Inc.

Telephone Conversation Record

Date: 3/10/77 Time: 1:30 PM  
TO: MR. BRUCE ARMSTRONG PHONE NUMBER: (801) 370-8344  
UTAH COUNTY PLANNING BOARD

FROM: JEFF REACTOR RE: FORMING OF THE PROPERTY  
IN UTAH COUNTY

GRANITE INQUIRED ABOUT THE UTAH  
COUNTY FORMING FOR THE CLAIMS  
FOUND IN UTAH COUNTY. ACCORDING  
TO MR. ARMSTRONG, ALL OF THE  
SECTIONS IN THE TINTIC DISTRICT ARE  
FORMED FOR GRAZING AND  
MINING (M-I).

COPIES: TO PROS. FILE & ESA  
FOLLOW-UP: N/A

**APPENDIX H**

**Heap Leach Pad-DOGM Records**



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael D. Leavitt  
Governor  
Kathleen Clarke  
Executive Director  
Lowell P. Braxton  
Division Director

1694 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
801-538-5340  
801-359-3940 (Fax)  
801-638-7223 (TDD)

June 12, 2001

Mr. Steve Flechner  
North Lily Mining Company  
1800 Glenarm Place  
Denver, Colorado 80202

Re: Approval of 2<sup>nd</sup> Request for Partial Bond Release, North Lily Mining Company, Tintic Project, M/023/007, Juab County, Utah

Dear Mr. Flechner:

On June 1, 2001, North Lily made a formal request for a 2<sup>nd</sup> partial bond release for reclamation work completed at North Lily's Tintic Project. North Lily has requested that \$108,024 (plus appropriate contingency and escalation factor adjustments) be released from the required \$155,100 certificate balance. The reduction amount was based upon the itemized costs contained in the current reclamation bond estimate. Your letter requested credit for the following reclamation tasks:

- \$ 5,000 (Demolition of Buildings and Facilities)
- \$ 9,696 (Debris & Equipment Removal)
- \$ 470 (Regrade Facilities Area)
- \$ 5,640 (Regrade Solution Ponds)
- \$ 704 (Ripping Stockpile and Compacted Areas)
- \$19,380 (Topsoil Replacement)
- \$ 1,070 (General Site Clean-up and Trash Removal)
- \$ 500 (Equipment Mobilization)
- \$ 2,790 (Reclamation Supervision)
- \$59,798 (Post Closure Fluid Management System)
- \$ 2,976 (Construction Supervision)

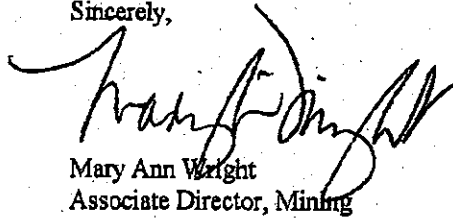
We have reviewed the reclamation tasks performed and the dollar amounts requested. As you know, OGM and DWQ staff have performed onsite inspections confirming that these tasks are completed. Both agencies agree that this partial bond release is justified. A total of \$122,600 dollars is hereby released, which includes contingency and escalation factors. We will instruct Wells Fargo Bank to retain \$32,500 of the current certificate balance for the post-closure monitoring provisions and the residual revegetation work that must be completed this fall (see attached cost breakdown sheet). Any accrued interest above the \$155,100 base amount may also be released to North Lily.

Page 2  
Steve Flechner  
North Lily Mining Company  
June 12, 2001

The Division will forward the necessary paperwork to Wells Fargo Bank authorizing release of these funds to North Lily to meet its payment obligations for the project reclamation work performed to date. Thank you for your cooperation in moving the closure and reclamation work forward so that the July 1, 2001 project deadline could be met. We look forward to meeting with you onsite on June 26th to jointly review the status of the successful reclamation work performed to date.

If you have any questions in this regard, please call me, or Wayne Hedberg of my staff at (801) 538-5306 and 538-5286, respectively.

Sincerely,



Mary Ann Wright  
Associate Director, Mining

jb  
Attachment: Revised Reclamation Cost Estimate  
cc: Bob Bayer, JBR  
Dennis Frederick, DWQ  
Wayne Hedberg, OGM  
Doug Jensen, OGM  
M23-07.BondRed2.doc

**RECLAMATION SURETY ESTIMATE**

North Lily Mining Company

last rev. 03/01/01

Title Project

filename M023-00

M/023/007

Juab County

Prepared by Utah State Division of Oil, Gas & Mining  
 -THIS estimate uses a D8 926 dozer for most earthwork

**Acresage Totals**

Heaps - 15.6 Buildings - 1 Topsoil Area - 3.2 Borrow - 2.8 Ponds - 1.2

**DRAFT**

Note: actual unit costs may vary according to site conditio last unit cost updat 08/25/99

Activity	Quantity	Units	\$/unit	\$
Demolition of buildings & facilities	1	lump su		5,000
Debris & equipment removal - trucking	10	trips	48	480
Debris & equipment removal - dump fees	100	ton	55	5,500
Debris & equipment removal - loading trucks w/F	16	hours	178	2,816
Demolition & debris removal - general labor	60	hours	15	900
Regrading facilities areas (1 ft depth)	1.0	acre	470	470
Hazardous Waste Disposal	1	lump su	10000	10,000
Regrading heap slopes	26,000	CY	0.47	12,220
Regrade Solution Ponds	12,000	CY	0.47	5,640
Ripping stockpile & compacted areas	5.8	acre	220	1,276
Ripping site - prior to seeding	18.8	acre	220	4,136
Topsoil replacement - truck & FE loader	38,000	CY	2.55	96,900
Composted manure (10 ton/acre)	24.8	acre	300	7,380
Broadcast seeding	24.8	acre	170	4,182
General site cleanup & trash removal	21.4	acre	50	1,070
Equipment mobilization	2	equip	1000	2,000
Reclamation Supervision	10	days	372	3,720
10% Contingency				18,389
Escalate for 2 years at 3.13% per yr				11,448
<b>Total</b>				<b>\$191,507</b>
<b>Rounded surety amount in yr 2002-\$</b>				<b>\$191,500</b>
Average cost per disturbed acre =				\$7,785

Status	Release Requested	Release Authorized 03/20/01	Release Authorized 08/01/01	Bond Amounts Remaining 08/01/01
partial		\$8,500		\$1,500
Comp.	\$12,220	\$12,220		
			\$5,640	
partial		\$572		\$704
partial	\$3,160	\$3,160		\$976
partial	\$77,520	\$77,520		\$19,380
partial	\$5,640	\$5,640		\$1,740
partial		\$3,100		\$1,082
			\$1,070	
Incomp.	\$1,000	\$0		\$500
			\$2,790	\$930
Subtotal	\$99,540	\$110,712		\$6,798
		\$11,071		\$5,298
Subtotal		\$121,783		\$12,098
				\$2,000
			\$45,250	\$14,098
			\$45,300	\$14,100

**Bonding Calculations for Additional Activities**

Construction of Post Closure Fluid Management System	Lump Sum	\$69,798.00	\$69,798
Construction Supervision:	8 Days	\$372	\$2,976.00
Post-Closure Monitoring/analysis and handling, data reporting, site maint.	5 years per year	\$1500	\$7,500.00
	5 year	\$1,000	\$5,000.00
	Subtotal		\$75,274.00
10% Contingency			\$7,527
	Subtotal		\$82,801
Escalate for 1 years at 3.13% per yr			\$2,592
	Total		\$85,393
	Rounded Amount		\$85,400
		Amount of Bond to be Released	\$122,800
			\$32,500

**North Lily bond Release Authorization**

Additional Bonded Activities Cost \$85,400

**Bond Amount Authorized for Release**

Total \$36,400.00

**Present North Lily Bond Amount**

\$191,500.00

**Authorized Release Amount**

\$36,400.00

**Bond Amount Remaining for Final Reclamation**

\$155,100.00

Amount of North Lily Bond Remaining

\$155,100

\$122,600

\$32,500



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
Kathleen Clarke  
Executive Director  
Lowell P. Braxton  
Division Director

1684 West North Temple, Suite 1210  
PO Box 148801  
Salt Lake City, Utah 84114-8801  
801-538-8340  
801-358-3940 (Fax)  
801-838-7223 (TDD)

June 12, 2001

Ann Norman  
Branch Manager  
Wells Fargo Bank  
95 North Main  
Payson, Utah 84651

Re: Authorization for Partial Release of Reclamation Surety, Certificate of Deposit (CD), North Lily Mining Company, Tintic Project, M/023/007, Juab County, Utah

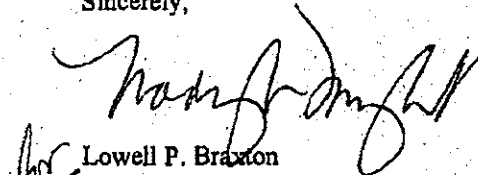
Dear Ms. Norman:

Wells Fargo Bank (formally First Security Bank) is presently holding a Certificate of Deposit #0485711979 for the benefit of the State of Utah, Division of Oil, Gas and Mining as a form of reclamation surety for North Lily Mining Company's, Tintic Mine Project. At the company's request and after site inspections to verify that reclamation work has been satisfactorily completed, this letter will authorize the release of sufficient principal to reduce the face value of the Certificate to no less than \$32,500 dollars. As of June 6, 2001, the Certificate balance with interest was reported at \$163,808 dollars. The partial payment should be directed to North Lily Mining Company (see attached release notification letter). We understand that a 3-month interest penalty may apply for early withdrawal of the certificate.

When this transaction has been accomplished, please furnish us with written confirmation that appropriate funds have been released and that the balance of retained funds will remain at \$32,500.

If you have any questions or concerns, please contact Mary Ann Wright at (801) 538-5306, or Wayne Hedberg at (801) 538-5286. Again, thank you for your help in this matter.

Sincerely,

  
for Lowell P. Braxton  
Director

jb  
Attachment: 6/12/2001 release letter  
cc: Steve Flechner, North Lily  
Mary Ann Wright, DOGM  
Wayne Hedberg, DOGM  
O:\narthlily\M23-07-interest-rel.doc



# State of Utah

## DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER QUALITY

Michael O. Leavitt  
Governor

Dianne R. Nielson, Ph.D.  
Executive Director

Don A. Ostler, P.E.  
Director

288 North 1450 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870  
(801) 538-6146  
(801) 538-6016 Fax  
(801) 536-4414 T.D.D.  
www.deq.state.ut.us Web

### Water Quality Board

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Vice Chairman

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Douglas E. Thompson, Mayor

J. Ann Wechsler

Don A. Ostler, P.E.  
Executive Secretary

August 15, 2001

Mr. Stephen Flechner, President  
North Lily Mining Company  
1800 Glenarm Place, Suite 210  
Denver, CO 80202

Dear Mr. Flechner:

RE: Closure of Notice of Violations, Docket Nos. UGW2003 and UGW20-04, For Failure to Maintain Discharge Minimization Technology

Review of our records indicate that North Lily Mining Company (North Lily) has satisfied all requirements, obligations and activities specified under the Notice of Violations (NOV), Docket Nos. UGW2003 and UGW20-04 that were issued by the Water Quality Board for failure to Maintain Discharge Minimization Technology (DMT).

Consequently, the NOV's addressing failure of DMT are hereby considered closed based on the following conditions:

1. Post closure monitoring of heap leach drain-down fluid must be conducted according to the provisions of the ground water discharge amended permit to demonstrate that concentrations of constituents will have *de minimis* impact to the surrounding ground water quality.
2. Flow rate for drain-down fluid must be measured according to the provision of the ground water discharge amended permit to demonstrate volume of drain-down fluid remains at the design limit.
3. The constructed absorption drain-down field must be operated and maintained according to the approved construction permit.

It is North Lily's responsibility to notify DWQ if drain-down fluid volume or/and concentration of constituent exceed the design limit, so that the situation can be re-evaluated. No further action will be



August 15, 2001

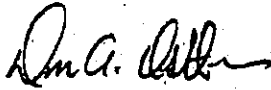
Page 2

required unless additional information discloses a ground water problem at this site originating from the heap leach facility and post closure activities. Your company remains liable for any environmental damage associated with the heap leach facility and post-closure activities.

If you have any questions, please call Beth Wondimu of this office at (801) 538-6084.

Sincerely,

UTAH WATER QUALITY BOARD



Don A. Ostler, P.E.  
Executive Secretary

DO:DAF:BAW:bjr

cc: Wayne Hedberg, DOGM

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State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY

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Douglas E. Thompson, Mayor

J. Ann Wechster

Don A. Ostler, P.E.  
Executive Secretary

August 23, 2001

Mr. Stephen Flechner, President  
North Lily Mining Company  
Silver City Heap Leach  
1800 Glenarm Place, Suite 210  
Denver, Colorado 80202

Dear Mr. Flechner:

Subject: Draft Amended Ground Water Discharge Permit, No. UGW230001

Enclosed is the proposed draft amended Ground Water Discharge Permit and Statement of Basis for Permit No. UGW230001.

The permit is modified mainly to incorporate post-closure monitoring requirements. This draft permit is for your review and comment. If possible please respond within 30 days. Upon an indication of your concurrence with this draft, a final draft version of the permit will be public noticed by the Executive Secretary prior to issuance.

If you have any questions, please contact Beth Wondimu at (801) 538-6084.

Sincerely,

Dennis Frederick, P.E., Manager  
Ground Water Protection Section

DAF:BW:bjr

Enclosures

U:\WQ\PERMITS\B\WONDIMU\WP\NOLLY\PERMIT\NLCOV.WPD

## STATEMENT OF BASIS

# DRAFT

### North Lily: Silver City Heap Leach Closure Permit Modification, No. UGW230001

August 18, 2001

#### Introduction

North Lily was issued a groundwater discharge permit on December 8, 1997 to cover the operation of heap leach facility closure. Due to the completion of closure of the heap leach facility, the permit is modified to incorporate new technology performance standards and requirements for post-closure monitoring.

#### Description of Facility

The Silver City Heap Leach facility consists of 15 acres of spent ore stacked to an average depth of 100 feet. Recovery of precious metals from the ore was terminated in October, 1995. North Lily has rinsed the ore by exposure to precipitation and by recycling drain down solutions to the heap leach. Significant reductions in initial contaminant concentrations of cyanide and other metals have been achieved.

Subsequent to the termination of operation, the facility underwent closure according to the provision of DOGM reclamation plan. The heap leach was reclaimed in December, 2000. The pad cover consists of graded and compacted subore that was ripped to a nominal depth. The top soil was seeded in accordance with Division of Oil, Gas and Mining (DOGM) reclamation requirements to establish vegetation.

#### Post Closure Fluid Management System

Drain-down fluid from the reclaimed heap leach is disposed of utilizing an absorption drainfield system. The absorption drainfield is installed west of the heap leach pad. The system is designed to transfer fluid from heap leach pad into a distribution box, that is located at the pad margin, and then to the absorption field. Construction standards for drainfield is covered under the construction permit issued on by the Executive Secretary April 5, 2001.

The technology performance standard to be achieved in this post operational permit is the operation and maintenance of the absorption drainfield as set forth in the approved construction permit. In addition, post closure fluid management for purposes of the permit is defined as: 1) Flow rate for heap leach draindown fluid will not exceed the design limit of 6.41 gallons per minute; 2) Concentrations of constituents of the draindown fluid must be *de minimis* for potential impact to the ground water quality in the vicinity.

### **Post-Closure Monitoring**

The heap leach draindown fluid will be monitored for constituents listed in the permit during post-closure operation. Samples will be taken from the draindown fluid sampling port on a quarterly basis.

Flow measurement will also be conducted as part of post closure monitoring. Manual measurement of flow rate will be conducted on a weekly basis for both instantaneous and cumulative flow.

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Permit No.: UGW230001

**DRAFT**

**STATE OF UTAH  
DIVISION OF WATER QUALITY  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
P.O. BOX 144870  
SALT LAKE CITY, UTAH 84114-4870**

**Ground Water Quality Discharge Permit**

In compliance with the provisions of the Utah Water Pollution Control Act, Title 19, Chapter 5, Utah Code Annotated 1953, as amended,

**North Lilly Mining Company  
Silver City Heap Leach  
1800 Glenarm Place, Suite 210  
Denver, Colorado 80202**

is granted an amended Ground Water Quality Discharge Permit for the Silver City Heap Leach located on a tract of land in Tintic Valley with the NE1/4; Section 35, Township 10 South Range 3 West, Salt Lake Base and Meridian, Juab Co., Utah in accordance with conditions set forth herein.

This Ground Water Quality Discharge Permit supersedes all other Ground Water Discharge permits for this facility issued previously.

This modified permit shall become effective on \_\_\_\_\_.

This permit and the authorization to operate shall expire at midnight, \_\_\_\_\_.

---

Executive Secretary  
Utah Water Quality Board

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**I. SPECIFIC CONDITIONS**

**A. Ground Water Classification**

Based on ground water data collected from a downgradient water supply well, ground water in the area of the facility is classified as Class IA Drinking Water Quality Ground Water.

**B. Post Operation Discharge Minimization Technology**

**1. Heap Leach Pad Cover**

The heap leach was reclaimed in December, 2000. The pad cover consist of graded and compacted subore that was ripped to a nominal depth. The top soil was seeded in accordance with Division of Oil, Gas and Mining (DOGGM) reclamation requirements to establish vegetation. At a minimum, vegetative earthen cover must be established to a density consistent with DOGM requirements.

**2. Post-Closure Fluid Management System**

Drain-down fluid from the reclaimed heap leach is disposed of utilizing an absorption drainfield system. The absorption drainfield is installed at west of the heap leach pad. The system is designed to transfer fluid from heap leach pad to the absorption field. Construction standards for the absorption drainfield is covered under the construction permit issued by Executive Secretary on April 5, 2001.

**3. Performance Standards**

- a. The absorption drainfield shall be maintained in operable condition such that effective leachate flow through and treatment is provided at all times;
- b. Flow rate for heap leach draindown fluid shall not exceed the design limit, 6.41 gallons per minute.
- c. Concentrations of constituents of the draindown fluid must be *de minimis* for potential impact to the ground water quality in the vicinity.

**C. Post-Closure Compliance Monitoring Requirements**

**1. Heap Leach Draindown Fluid Monitoring**

- a) **Monitoring Frequency** - Compliance monitoring of the heap leach draindown fluid shall be conducted by the permittee quarterly. Monitoring will be reported to the Executive Secretary as per the requirements stipulated in Part I.E.1.



- b) **Analysis by Certified Laboratories** - draindown fluid samples shall be submitted to a laboratory certified by the State Health Laboratory for analysis.
- c) **Analytical Methods** - methods used to analyze samples must be methods cited in UAC R317-6-6.3A(13)
- d) **Analysis Parameters** - the following analyses will be conducted on all water samples collected:
  - 1) **Field Parameters** - pH, temperature, and specific conductance
  - 2) **Laboratory Parameters** -
    - **Major Anions and Cations:** including chloride, sulfate, carbonate, bicarbonate, sodium, potassium, magnesium and calcium.
    - **Dissolved Metals:** including arsenic, barium, cadmium, chromium, copper, lead, mercury, selenium, silver and zinc.
    - **Fluoride, nitrite and nitrate.**
    - **Weak Acid Dissociable Cyanide.**
    - **Cyanide Amenable to Chlorination.**
- h) **Sampling Port** - samples of draindown fluid shall be taken at the distribution box that is located at the heap leach pad margin.

**2. Heap Leach Draindown Fluid Flow Measurement**

- a) **Monitoring Frequency** - Manual measurement of flow rate for draindown fluid shall be conducted on a weekly basis, for both instantaneous and cumulative flow. The data will be reported on a quarterly basis in accordance with the schedule of Table 1, Part I.E.1.
- b) **Sampling Port** - The flow measurement shall be taken manually at the distribution box that is located at the heap leach pad margin.

D. Non-Compliance Status

In the event the permittee fails to maintain the Heap Leach Pad Cover and the absorption field in compliance with any of the requirements of Part I.B.3 of this permit, the permittee shall be in violation of this permit unless the affirmative defense provisions of Part III.G are satisfied. The permittee shall submit to the Executive Secretary a notification and description of the failure in accordance with Part II I.1 and 2.

E. Reporting Requirements

- a) Post closure monitoring schedule - The sampling and analysis required in Part I.C, above, shall be reported according to Table 1, below.

**Table 1 - Compliance Monitoring Reporting Schedule**

<u>Quarter</u>	<u>Report Due On</u>
1st (Jan., Feb., March)	April 15
2nd (April, May, June)	July 15
3rd (July, Aug., Sept.)	October 15
4th (Oct., Nov., Dec.)	January 15

- b) Sampling and Analysis Report - will include:

- 1) Field Data Sheets - or copies thereof, including the field measurements, required in Part I C 1(c)(1), above, and other pertinent field data, such as: sample location, date and time, names of sampling crew, type of sampling pump or bail, measured casing volume, volume of water purged before sampling.
- 2) Results of Sample Analysis - including date sampled, date received, ion balance; and the results of analysis for each parameter, including: value or concentration, units of measurement, reporting limit (minimum detection limit for the examination), analytical method, and the date of the analysis.
- 3) Electronic Filing Requirements - In addition to submittal of the hard copy data, above, the permittee will be required to electronically submit the required ground water monitoring data in an electronic format approved by the Executive Secretary. The data may be sent by e-mail, floppy disc, modem or other approved transmittal mechanism.

F. Compliance Schedule

**Construction Plans and Specifications - Within 30 days of issuance of this permit, the permittee shall submit As-Built plans and specifications for the recently constructed absorption draindown field.**

## II. MONITORING, RECORDING AND REPORTING REQUIREMENTS

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under Part I shall be representative of the monitored activity.
- B. Analytical Procedures. Water sample analysis must be conducted according to test procedures specified under UACR317-6.3.A.13, unless other test procedures have been specified in this permit.
- C. Penalties for Tampering. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- D. Reporting of Monitoring Results. Monitoring results obtained during each reporting period specified in the permit, shall be submitted to the Executive Secretary, Utah Division of Water Quality at the following address no later than the 15th day of the month following the completed reporting period:
- State of Utah  
Division of Water Quality  
Department of Environmental Quality  
P. O. Box 144870  
Salt Lake City, Utah 84114-4870  
Attention: Ground Water Protection Section
- E. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 14 days following each schedule date.
- F. Additional Monitoring by the Permittee. If the permittee monitors any pollutant more frequently than required by this permit, using approved test procedures as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted. Such increased frequency shall also be indicated.
- G. Records Contents. Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
  2. The individual(s) who performed the sampling or measurements;
  3. The date(s) and time(s) analyses were performed;
  4. The individual(s) who performed the analyses;
  5. The analytical techniques or methods used; and,
  6. The results of such analyses.
- H. Retention of Records. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from

the date of the sample, measurement, report or application. This period may be extended by request of the Executive Secretary at any time.

**I. Twenty-four Hour Notice of Noncompliance Reporting.**

1. The permittee shall verbally report any noncompliance with permit conditions or limits as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of the circumstances. The report shall be made to the Utah Department of Environmental Quality 24 hour number, (801) 538-6333, or to the Division of Water Quality, Ground Water Protection Section at (801) 538-6146, during normal business hours (8:00 am - 5:00 pm Mountain Time).
2. A written submission of any noncompliance with permit conditions or limits shall be provided to the Executive Secretary within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:
  - a. A description of the noncompliance and its cause;
  - b. The period of noncompliance, including exact dates and times;
  - c. The estimated time noncompliance is expected to continue if it has not been corrected; and,
  - d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
  - e. If necessary a proposed schedule for implementation of the Contingency Plan in accordance with Part I.D.2.
3. Written reports shall be submitted to the addresses in Part II D, Reporting of Monitoring Results.

**J. Other Noncompliance Reporting.** Instances of noncompliance not required to be reported within 24 hours, shall be reported at the time that monitoring reports for Part II D are submitted.

**K. Inspection and Entry.** The permittee shall allow the Executive Secretary, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

Part II  
Permit No. UGW230001

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

### III. COMPLIANCE RESPONSIBILITIES

- A. Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination; revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give advance notice to the Executive Secretary of the Utah Water Quality Board of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- B. Penalties for Violations of Permit Conditions. The Act provides that any person who violates a permit condition implementing provisions of the Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under Section 19-5-115(2) of the Act a second time shall be punished by a fine not exceeding \$50,000 per day. Nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.
- C. Need to Halt or Reduce Activity not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- E. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- F. Bypass of Treatment Facilities
1. Definitions:
    - a. "Bypass" means the intentional diversion of heap leach solutions from any portion of the treatment system or untreated flow through the system during a partial system failure.
    - b. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which may cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused

by delays in production.

2. **Anticipated Bypass** - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least five (5) days before the date of the bypass. The notice shall include the reason(s) for the anticipated bypass, the expected length of time treatment systems will be bypassed, and a description of the measures taken to mitigate the quantities released during the bypass. Operational records shall be submitted following the anticipated bypass detailing the quantities of materials released and the levels of relevant chemical constituents in the materials released. The permittee shall limit the time period of the bypass to the minimum amount of time necessary to affect system maintenance or repairs.

The Executive Secretary may approve an anticipated bypass, after considering any potential effects, if the Executive Secretary determines that it will meet the three conditions listed in paragraph 5 below of this section.

3. **Unanticipated Bypass** - The permittee shall submit notice of an unanticipated bypass as required in Part I.D.1. The permittee shall limit the time period of the bypass to the minimum amount of time necessary to affect system maintenance or repairs.
4. **Prohibition of Bypass** - Bypass is prohibited and the Executive Secretary may take enforcement action against a permittee for a bypass, unless:
  - a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
  - c) The permittee submitted notices as required under Part III F.3, above.

G. **Affirmative Defense**

In the event that a compliance action is initiated against the permittee for violation of permit conditions relating to discharge minimization technology, the permittee may affirmatively defend against that action by demonstrating the following:

1. The permittee submitted notification according to Part I.D.1 and Part II.I.1 and 2;
2. The failure was not intentional or caused by the permittee's negligence, either in action or in failure to act;



3. The permittee has taken adequate measures to meet permit conditions in a timely manner or has submitted to the Executive Secretary, for the Executive Secretary's approval, an adequate plan and schedule for meeting permit conditions; and
4. The provisions of 19-5-107 have not been violated.

#### IV. GENERAL REQUIREMENTS

- A. Planned Changes. The permittee shall give notice to the Executive Secretary as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when the alteration or addition could significantly change the nature of the facility or increase the quantity of pollutants discharged.
- B. Anticipated Noncompliance. The permittee shall give advance notice of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C. Spill Reporting - The Permittee shall immediately report as per UCA 19-5-114 of the Utah Water Quality Act any spill or leakage from the tailings impoundment or associated facilities which is not totally contained by a collection system. This report shall be made to the phone numbers given in Part II I 1. A written report will be required within 5 days of the occurrence and should address the requirements of UCA 19-5-114 and Part II I 2 and 3 of this permit.
- D. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- E. Duty to Reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a permit renewal or extension. The application should be submitted at least 180 days before the expiration date of this permit.
- F. Duty to Provide Information. The permittee shall furnish to the Executive Secretary, within a reasonable time, any information which the Executive Secretary may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Executive Secretary, upon request, copies of records required to be kept by this permit.
- G. Other Information. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Executive Secretary, it shall promptly submit such facts or information.
- H. Signatory Requirements. All applications, reports or information submitted to the Executive Secretary shall be signed and certified.
1. All permit applications shall be signed as follows:
    - a. For a corporation: by a responsible corporate officer;
    - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

- c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by the Executive Secretary shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - a. The authorization is made in writing by a person described above and submitted to the Executive Secretary, and,
    - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
  3. **Changes to Authorization.** If an authorization under Part IV H 2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part IV H 2. must be submitted to the Executive Secretary prior to or together with any reports, information, or applications to be signed by an authorized representative.
  4. **Certification.** Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- I. **Penalties for Falsification of Reports.** The Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
  - J. **Availability of Reports.** Except for data determined to be confidential by the permittee, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Executive Secretary. As required by the Act, permit applications, permits, effluent data, and ground water quality data shall not be considered confidential.

- K. Property Rights. The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- L. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- M. Transfers. This permit may be automatically transferred to a new permittee if:
1. The current permittee notifies the Executive Secretary at least 30 days in advance of the proposed transfer date;
  2. The notice includes a written agreement between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
  3. The Executive Secretary does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement as described in Part IV.M.2, above.
- N. State Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, penalties established pursuant to any applicable state law or regulation under authority preserved by Section 19-5-117 of the Act.
- O. Reopener Provisions. This permit may be reopened and modified pursuant to R317-6-6.6.B or R317-6-6.10.C to include the appropriate limitations and compliance schedule, if necessary.

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