

Response to Comments
2002 Permit Modification for AJ Mine Permit, NPDES Permit No.: AK-00495-1

City and Borough of Juneau
AJT Mining Properties
AJ Mine, Juneau, Alaska
NPDES Permit No.: AK-00495-1
Public Comment Period: July 22 - August 22, 2002

During the public comment period specified above, Laurie Ferguson Craig, the Center for Science in Public Participation, the U.S. Fish and Wildlife Service (USFWS), and the Alaska Department of Environmental Conservation (ADEC) submitted comments. This document summarizes the comments and the EPA responses to those comments.

1. Comment: The USFWS concurred with the conditions included with the draft permit modification, because the mine closeout and cessation of exploration activities have made certain components of the original permit unnecessary. They would expect that the permit would be modified if these activities were to begin again.

 Response: The comment has been noted. EPA agrees that any startup of the mining and exploration activities would require a new permit application and subsequent modification.

2. Comment: The proposed modification still requires quarterly ambient monitoring while reducing the frequency of effluent monitoring to annual. The effluent monitoring at Outfall 001 (Gold Creek Drainage Tunnel) should be conducted at the same time as the ambient monitoring in order to determine whether there is any correlation between the discharge and any contamination that might be detected by the ambient monitoring.

 Response: EPA agrees. However, since effluent monitoring is being reduced to annually from quarterly, the ambient monitoring has also been reduced to annual.

3. Comment: Annual monitoring is not sufficient to adequately monitor the discharge. As long as the discharge does not meet water quality standards, it should be monitored for exceedances of those standards. Monthly monitoring is more appropriate since there could be changes in the quality of the discharge because of storm events or seasonal variation. Quarterly monitoring, coinciding with quarterly ambient monitoring is the absolute minimum that should be considered. In addition, the Deep North is

refilling with the possibility of overflowing. This could change the quality of the mine discharge.

Response: As discussed above, EPA has revised the permit to require annual ambient monitoring instead of quarterly monitoring. Monitoring data collected and analyzed since issuance of the permit have not shown any exceedances of water quality standards. Also, mine closeout was completed and the water level in the Deep North was returned to the pre-exploration level. Mining activities have completely ceased at the AJ Mine. For those reasons, EPA determined that reducing the monitoring frequency to annual from quarterly was appropriate. While it is true that the Deep North is refilling because of precipitation, it is not anticipated that it will overflow within the next permit cycle or even beyond.

4. Comment: The permit authorizes discharges from numerous outfalls besides Outfalls 001 and 002. The fact sheet did not discuss these other outfalls. More explanation is needed on these outfalls.

Response: Only Outfalls 001 and 002 were the subjects of this permit modification. Under regulations at 40 CFR § 124.5(c)(2), only those conditions to be modified are reopened and subject to comment. All other aspects of the existing permit remain in effect for the duration of the unmodified permit.

5. Comment: The provisions the draft permit would eliminate were put in place to protect Juneau's municipal drinking water supply located downstream from the mine's Outfall 001. Monthly and quarterly monitoring should be retained to evaluate the safety of the public's water supply. In 1998, when the permit was issued, the Deep North was anticipated to overflow within four years.

Response: Those provisions were applicable as long as the Deep North had not been de-watered and exploration activities were still underway. Since 1998, mine closure was completed and the Deep North was drained to pre-exploration water levels. The City and Borough of Juneau have monitoring stations throughout the drinking water field in order to determine the safety of the public drinking water supply. The Deep North is not expected to overflow within the next five to ten years. The final permit modification has not been revised from the draft permit.

6. Comment: Whole effluent toxicity testing has been proposed to be eliminated from the permit. It should be kept in the permit. Has the Deep North overflowed

since the permit was issued in 1998? Without monitoring from an extended post-overflow period, the tests do not accurately reveal how safe our drinking water will be.

Response: As explained earlier, the Deep North was drained to prevent any overflow. As it was drained, the discharged was treated before release to Gold Creek. Once the drainage was complete, the outfall was eliminated. Whole effluent toxicity testing cannot occur if there is no discharge. In addition, protection of drinking water is not the purpose of whole effluent toxicity testing. Whole effluent toxicity testing protects aquatic life and can show if chemical-specific (but not human health) criteria are being or have the potential to be exceeded. The tests conducted since the permit was issued did not show any toxicity. The permit has not been revised to include whole effluent toxicity testing.

7. Comment: Regarding references to mining exploration in the permit, no exploration activities should be allowed or permitted at any time.

Response: The permittee did not ask to modify the conditions banning mining exploration, so no changes have been made to those requirements.

Revisions Based on Certification from ADEC

- 1) ADEC is requiring the permittee to monitor Outfall 003 (Ebner Adit) for conductivity on a semi-annual basis. Because the conductivity of the water in the Deep North Orebody is different from the conductivity of the Ebner Adit discharge, the information gathered will aid in determining when the Deep North Orebody overflow may begin. Results from this additional monitoring will help to determine when increased monitoring, permit modification and/or treatment will need to take place. The permit has been revised to include semi-annual (twice per year) monitoring at Outfall 003 for conductivity.
- 2) ADEC is requiring that Method 200.8 be used in all total recoverable metals analyses required by the permit. Table 4 in Section I has been revised to allow for the use of Method 200.8.
- 3) ADEC is requiring that the CBJ submit a new or modified Quality Assurance Project Plan for the new monitoring schedule and to update all pertinent information to ADEC. The permit has been revised accordingly.

