



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 21 2014

REPLY TO THE ATTENTION OF:
WN-16J

Mr. Jeffery Loman
P.O. Box 142
L'Anse Indian Reservation, Michigan 49946

Re: Michigan Department of Environmental Quality Groundwater Discharge
Permit GW181062 for the Lundin - Eagle Mine in Marquette County, Michigan

Dear Mr. Loman:

I am responding on behalf of Region 5 Regional Administrator, Susan Hedman regarding your January 10, 2014 inquiry into the Michigan Department of Environmental Quality's (MDEQ) draft modification of their groundwater discharge permit currently on public notice for the Lundin - Eagle Mine located in the Yellow Dog Plains of Marquette County, Michigan.

The Region 5 Water Division National Pollutant Discharge Elimination System (NPDES) program staff reviewed information provided by MDEQ including the draft groundwater permit and public notice and the application for renewal of the groundwater discharge permit. Process water from this facility is treated in a waste water treatment system that includes a reverse osmosis treatment unit and is discharged to a groundwater infiltration unit. In addition, discharge and monitoring well data attached to the company's application for permit renewal do not indicate that there are exceedences of surface water based limits included in the permit.

An NPDES permit is needed for a discharge to groundwater where there is a direct hydrologic connection between groundwater and waters of the United States. We have considered the potential applicability of the Clean Water Act's NPDES program to the process wastewater being generated by the Eagle Mine and discharged to groundwater. We do not believe that there is evidence of a direct discharge from this treatment unit to surface waters at this time. Further, MDEQ has taken steps through the groundwater permitting process to protect surface water by including limits in the groundwater permit based on surface water standards.

If you should have any questions regarding this letter, feel free to contact me or Kevin Pierard, Chief, NPDES Programs Branch, at (312) 886-4448.

Sincerely,

Tinka G. Hyde
Director, Water Division