



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
WATER AND WATERSHEDS

March 17, 2010

VIA Electronic Filing

Ms. Eurika Durr, Clerk of the Board  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20005

VIA First Class Mail

Mr. Mike D.J. Bonneau General Manager,  
Teck Alaska Incorporated  
Red Dog Operations  
3105 Lakeshore Drive  
Building A, Suite 101  
Anchorage, Alaska 99517

Re: NPDES Appeal No. 10-04  
Red Dog Mine - NPDES Permit No. AK-003865-2  
Notification of Withdrawal of Permit Conditions

Dear Mr. Bonneau:

On January 8, 2010, the U.S. Environmental Protection Agency Region 10 issued the above-referenced National Pollutant Discharge Elimination System (NPDES) permit to Teck Alaska Incorporated. On February 18, 2010, the Environmental Appeals Board notified Region 10 that Trustees for Alaska and the Center on Race, Poverty and the Environment, on behalf of several entities and individuals, filed a petition for review of the permit. On February 26, 2010, Region 10 issued a notification pursuant to 40 C.F.R. § 124.16(a)(2) that the following contested permit conditions were stayed as a result of the petition for review:

- Part I.A.1, Table 1 – effluent limitations for lead (monthly average limit), selenium (daily maximum limit), zinc, and weak acid dissociable (WAD) cyanide
- Part I.A.7.a – effluent limitations for Total Dissolved Solids (TDS)

The remainder of the January 8, 2010, NPDES permit conditions were determined to be uncontested and severable from the contested conditions and, in accordance with 40 C.F.R. §§ 124.16(a)(2) and 124.20(d), will become fully effective and enforceable on March 31, 2010.

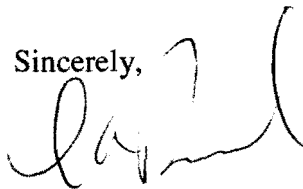
Pursuant to 40 C.F.R. § 124.19(d), the Region hereby withdraws the following conditions from 2010 NPDES Permit No. AK-003865-2:

- Part I.A.1, Table 1 – effluent limitations for lead (monthly average limit), selenium (daily maximum limit), zinc, and weak acid dissociable (WAD) cyanide
- Part I.A.7.a – effluent limitations for Total Dissolved Solids (TDS)

Those permit conditions that are not withdrawn, which include the entire permit except the conditions identified above, will become fully effective and enforceable on March 31, 2010. As a result of this withdrawal, the following conditions in the 1998 NPDES Permit No. AK-003865-2 remain in effect until further agency action.

- Part I.A.1 – effluent limitations for lead (monthly average limit), selenium (daily maximum limit), zinc, TDS, and total cyanide

Please feel free to contact Patty McGrath at (206) 553-0979 or Cindi Godsey at (907) 271-6561 should you have questions regarding this letter.

Sincerely,  


Michael A. Bussell  
Director, Office of Water

cc: Environmental Appeals Board  
Millie Hawley, President, Native Village of Kivalina IRA Council  
Caroline Cannon, President, Native Village of Point Hope IRA Council  
Pamela Miller, Alaska Community Action on Toxics  
Brook Brisson, Northern Alaska Environmental Center  
Enoch Adams, Jr., Kivalina  
Leroy Adams, Kivalina  
Andrew Koenig, Kivalina  
Jerry Norton, Kivalina  
Joseph Swan, Sr., Kivalina  
Brent Newell, Center for Race, Poverty, & the Environment  
Victoria Clark, Trustees for Alaska  
Don Kuhle, U.S. Army Corps of Engineers  
George Helfrich, National Park Service  
Jack DiMarchi, State of Alaska Department of Natural Resources  
Ukallaysaaq Tom Okleasik, Northwest Arctic Borough  
Jackie Hill, Maniilaq Association  
Marie Greene, NANA Regional Corporation, Inc.  
Tim Pilon, State of Alaska, Department of Environmental Conservation