



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 10
 1200 Sixth Avenue
 Seattle, Washington 98101

Office of Regional Counsel ORC-158
Phone (206) 558-1097 Fax (206) 558-0163

To: See below Fax: See below
From: Keith Cohen Date: 9/27/07
Re: Red Dog Mine Pages: 5

Urgent For Review Please Comment Please Reply

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Comments:

U.S. Environmental Protection Agency
 Clerk of the Board, Environmental Appeals Board
 1341 G Street, N.W., Suite 600
 Washington, D.C. 20005
 Fax: (202) 233-0121

Luke Cole
 Center on Race, Poverty & the Environment
 47 Kearny Street, Suite 804
 San Francisco, California 94108
 Fax: (415) 346-8723

Robert K. Reges Jr.
 Hartig, Rhodes, Hoge & Lekisch, P.C.
 500 L Street, Suite 300
 Anchorage, Alaska 99501
 Fax: (907) 222-7199

Matthew Cohen
 Heller Ehrman LLP
 701 Fifth Avenue, Suite 6100
 Seattle, Washington 98104-7098
 Fax: (206) 515-8966

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ENVIR. APPEALS BOARD

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)	
)	
Teck Cominco Alaska Incorporated)	NPDES Appeal No. 07-08 & 07-09
Red Dog Mine)	
)	Region 10 Notice of Withdrawal of
NPDES Permit No. AK-003865-2)	Permit
)	

The Environmental Protection Agency, Region 10 ("the Region"), hereby notifies the Environmental Appeals Board, the petitioners, the permittee, and other interested parties, that it is withdrawing the NPDES Permit that is the subject of this appeal, in accordance with 40 C.F.R. § 124.19(d). A copy of the permit withdrawal document is attached to this Notice. The Region's intent is to prepare a new draft permit along with a Supplemental Environmental Impact Statement under the National Environmental Policy Act. The Region does not concede the validity of any of the petitioners' challenges to specific permit conditions.

Respectfully submitted this 27th day of September, 2007.

ENVIRONMENTAL PROTECTION AGENCY, REGION 10

KEITH E. COHON
Assistant Regional Counsel

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY****REGION 10**1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140RECEIVED
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ENVIR. APPEALS BOARD

Reply To
Attn Of: OWW-135

SEP 27 2007

John Knapp
General Manager
Teck Cominco Alaska, Incorporated
Red Dog Operations
3105 Lakeshore Drive, Bldg. A, Suite 101
Anchorage, Alaska 99517Re: Teck Cominco Alaska Incorporated, Red Dog Mine
NPDES Permit No. AK-003865-2

Dear Mr. Knapp:

EPA is withdrawing the National Pollutant Discharge Elimination System (NPDES) permit reissuance for the Red Dog Mine dated March 7, 2007. We are taking this action in order to revise our National Environmental Policy Act (NEPA) analysis for the NPDES permit. Enclosed is the NPDES permit withdrawal and our withdrawal notice to the Environmental Appeals Board (EAB).

The administratively extended NPDES permit conditions that were in effect prior to the March 7, 2007 permit reissuance remain in effect. A follow-up communication will clarify the effective permit conditions.

We intend to incorporate the NEPA analysis for the reissuance of this NPDES permit into the ongoing Red Dog Mine - Aqqaluk Supplemental Environmental Impact Statement (SEIS). EPA has already issued a Notice of Intent to prepare a supplemental EIS for the Red Dog Mine and Aqqaluk project and will conduct scoping meetings on October 2 through 5, 2007.

If you have questions regarding the NPDES permit please contact Mike Lidgard at (206) 553-1755 or Cindi Godsey at (907) 271-6561. Contact Patty McGrath at (206) 553-0979 with questions regarding the Red Dog Mine - Aqqaluk SEIS.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Gearheard".

Michael F. Gearheard

Director, Office of Water and Watersheds

Enclosures

Cc: Lynn Kent, ADEC

Withdrawal of NPDES Permit - September 27, 2007

Permit No. AK-003865-2

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United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

ENVIR. APPEALS BOARD

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Withdrawal of Permit Under the National Pollutant Discharge Elimination System

The following permit reissuance, which is subject to a pending appeal before the Environmental Appeals Board (Appeal Nos. NPDES 07-08 & 07-09), is hereby withdrawn pursuant to 40 CFR § 124.19(d):

NPDES Permit No.: AK-003865-2


Permittee: Teck Cominco Alaska, Inc.

Facility: Red Dog Mine

Signed: March 7, 2007

The administratively extended NPDES permit conditions that were in effect prior to that March 7, 2007, permit reissuance remain in effect.

Signed this 27th day of September, 2007



Michael F. Gearheard
Director, Office of Water & Watersheds
U.S. Environmental Protection Agency, Region 10

CERTIFICATE OF SERVICE

I certify that the foregoing "Region 10 Notice of Withdrawal of Permit," together with its attachment, was sent to the following persons, by facsimile and by Federal Express, on the date below:

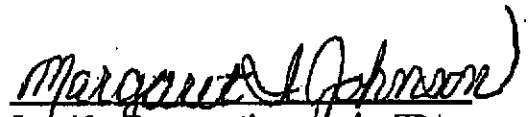
U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
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Mathew Cohen
Heller Ehrman LLP
701 Fifth Avenue, Suite 6100
Seattle, Washington 98104-7098
Fax: (206) 515-8966

Dated: 9-27-07


~~Jennifer Eason~~ Margaret Johnson
U.S. EPA, Region 10