DEQ
Montana Department
of Environmental Quality

August 13, 2019

Dear Interested Party:

The Montana Department of Environmental Quality (DEQ) has completed the Final Environmental Impact Statement (EIS) for Montana Resources, LLC's (Montana Resources) amendment application. The amendment application affects multiple operating permits held by Montana Resources. Approval of the amendment application would allow Montana Resources to raise the western embankment of the existing Yankee Doodle Tailings Impoundment (YDTI) to an elevation of 6,450 feet, extend the northern boundary of the impoundment, and add other facilities to support this impoundment project. The Montana Resources' Yankee Doodle Tailings Impoundment is located adjacent to and northeast of Butte, Montana.

Montana Resources applied to DEQ for an amendment on October 6, 2017, under the Metal Mine Reclamation Act (MMRA), Section 82-4-301, *et seq.,* Montana Code Annotated (MCA). Pursuant to Section 82-4-337, MCA, DEQ determined that Montana Resources' amendment application was complete and compliant and issued Montana Resources a draft amendment approval on August 31, 2018. Electronic copies of the applications may be viewed by visiting the website (http://deq.mt.gov/Land/hardrock).

The Montana Environmental Policy Act (MEPA), Section 75-1-201, *et seq.,* MCA, requires the preparation of an EIS for state actions that may significantly affect the quality of the human environment. The EIS includes a detailed statement on the environmental impact of the proposed action, alternatives to the proposed action, and a no action alternative. DEQ issued a Draft EIS on March 22, 2019. In the Draft EIS, DEQ analyzed several alternatives: a No Action Alternative, a Proposed Action Alternative based on Montana Resources' application submitted to DEQ, and three additional alternatives.

The Final EIS addresses issues and concerns raised at the public meeting and during the public comment period. All new information and analysis supplied during the comment period and developed in response to comments received were used to prepare the Final EIS.

DEQ has identified the Proposed Action as the agency's preferred alternative in the Final EIS, with an added stipulation to promote dialogue between the Butte Mine Flooding Operable Unit (BMFOU) Consent Decree parties about alternative post-closure strategies to eliminate pumpback from the West Embankment Drain (WED) seepage. If the Consent Decree parties were to agree, the YDTI pond would be more quickly reduced after mining ceases and reclamation could occur sooner than under the Proposed Action. The operating permits and associated bond will be managed following the operation and reclamation plans described within the Proposed Action, unless further modifications are made following consultation with BMFOU parties and approval by the United States Environmental Protection Agency (USEPA). Under the MMRA, DEQ would require that any future modifications to the reclamation plan provide "sufficient measures to ensure public safety and to prevent the pollution of air or water and the degradation of adjacent lands" (82-4-336(10), MCA). The applicant (Montana Resources) was consulted about the stipulation, in accordance with 82-4-337(2)(b), MCA.

DEQ will set forth its final decision and rationale in its Record of Decision (ROD). The ROD is a public notice identifying what the decision is, the reasons for the decision, and any special conditions surrounding the decision or its implementation. Pursuant to ARM 17.4.620, DEQ may issue its ROD no less than 15 days from the transmittal of the Final EIS to the public, the Environmental Quality Council, and the office of the Governor.

DEQ appreciates the public's participation in the Montana Resources EIS Project. The Final EIS has been posted on DEQ's website at (http://deq.mt.gov/Public/eis). Digital copies of the Final EIS may be requested by contacting Craig Jones at (406) 444-0514. A copy of the ROD will be sent to everyone who receives the Final EIS.

Sincerely,

Shaun McGrath
Director
Montana Department of Environmental Quality