

**Mining Bureau- Hard Rock Mining Section**  
**Application for Revision to Hard Rock Mining Operating Permit**

During the term of an operating permit issued under the Metal Mine Reclamation Act (MMRA), an operator may apply for a permit revision as described in subsections 82-4-342(6)(g) through (k), Montana Code Annotated (MCA). Section 82-4-342(6), MCA states:

*“The department is not required to prepare an environmental assessment or an environmental impact statement for the following categories of action and permit revisions:*

- (g) changes in a permit boundary that increase disturbed acres that are insignificant in impact relative to the entire operation, provided that the increase is less than 25 acres or 10% of the permitted area, whichever is less;*
- (h) changes to an approved reclamation plan if the changes are consistent with this part and rules adopted pursuant to this part;*
- (i) changes in an approved operating plan for an activity that was previously permitted if the changes will be insignificant relative to the entire operation and the changes are consistent with subsection (5)(g);*
- (j) changes in a permit for the purpose of retention of mine-related facilities that are valuable for postmining use;*
- (k) modifications to a tailings storage facility that result in a minor expansion to the facility if:
  - (i) the proposed modification is certified by the seal of the engineer of record;*
  - (ii) the capacity increase resulting from the expansion is no greater than 15% of the capacity of the existing tailings storage facility; and*
  - (iii) the modification complies with 82-4-376(2)(l) and (2)(dd) and is exempt under subsection (6)(g), (6)(h), or (6)(i) of this section; and**
- (l) applications for rock product permits and amendments pursuant to 82-4-343.”*

**Form Directions:** The permittee must include sufficient information within the permit revision application to demonstrate that the proposed activities or modifications fit the criteria provided by Section 82-4-342(6), MCA. The permit revision application must also include all information required by the Administrative Rules of Montana (ARM) 17.24.120, as outlined and cited within the format of the following pages. DEQ must rely on thorough information provided by the applicant on the form and in any attachments or referenced permit documents to evaluate the potential significance of the proposed activity and the applicability of the exemption criteria outlined above. In the absence of conducting an environmental review, DEQ cannot further supplement the record for the proposal.

- 1. Please provide detailed answers on the following application form and submit any reports, maps or figures, cover letter, or other supplemental information that may be needed to explain and support the proposed permit revision.**
- 2. Applications for proposed changes to the Construction, Operating, Reclamation, Monitoring, and/or Contingency Plans for an operating permit must include corresponding replacement pages, maps, figures, or complete copies of revised plan documents.**
- 3. Please save the completed form, preferably as Adobe PDF, and submit all application materials to the following parties:**
  - **DEQ Hard Rock main account ([deghardrock@mt.gov](mailto:deghardrock@mt.gov))**
  - **Millie Olsen, Section Supervisor ([millie.olsen@mt.gov](mailto:millie.olsen@mt.gov))**
  - **Lead inspector for your operating permit (*varies*)**

**\*\*DEQ provides a separate file that shows an example revision application for a hypothetical scenario. In the actual permit revision application, the permittee should provide a similar level of site-specific details to adequately address the scope of proposed changes and potential significance of impacts\*\***

## Application for Revision to Hard Rock Mining Operating Permit

Submittal Date: 1/2/2025

Operating Permit Number: 00001

Permittee Name: Mineral Mining and Milling Inc.

Permittee Address: 1233 North Drive, Helena MT, 59601

Revision Location (legal description or latitude/longitude): 46.585735, -112.018416

List of Application Attachments: Updated pages/text and figures for Operations, Reclamation, and Construction Plans, bond cost estimate, correspondence with SHPO

**A. General summary explaining the revision- ARM 17.24.120(1)(a)**

**Response** (explain the proposed modification; summarize disturbance and permit areas; summarize relevant plans for operation, reclamation, and/or monitoring; identify any attachments):

A revision to Operating Permit No. 00001 is requested to relocate the ore processing building and associated infrastructure, with the intention to begin construction later this year. This revision would involve the expansion of the permit boundary by 12.5 acres, but actual ground disturbance would increase by only 4.0 acres from access road construction, site preparation, construction, and operation of the facility. The original location for the processing building was between Ponds 4 and 5. This new location for the facility will be to the east of the current permit boundary (Figure 1). The original facility will be demolished and the debris will be moved from the site, in accordance with the approved Reclamation Plan (Section 5.2). The new ore processing building will operate in the same manner as the previously approved facility and similar infrastructure (tailings and water pipelines, natural gas line, overhead powerlines) would need to be constructed at the new location. The same requirements for demolition, removal, and footprint reclamation in the Reclamation Plan (Section 5.2) would apply to the new facility.

**B. Applicant's rationale for asserting non-significance pursuant to 82-4-342(6), MCA (provided above)- ARM 17.24.120(1)(b)**

1. Surface Disturbance

**Does the revision include changes to the permit area, disturbance area, or bonded area?**

No

Yes, see the following:

	<b>Current (acres)</b>	<b>Proposed (acres)</b>	<b>Change (acres)</b>
Total Permit Area	650	662.5	12.5
Total Area Permitted to be Disturbed	615	619	4.0
Disturbance Area*	615	619	4.0
Area Bonded for Disturbance	615	619	4.0

*\*Proposed disturbance may be the total area permitted to be disturbed or a portion (increment) of that area. Please see the Final Permit or other permit approval documents for the Proposed Disturbance Area.*

**Response to explain the selection:**

This revision would involve increasing the permit area by 12.5 acres, but the actual disturbance within this area would be 4.0 acres. This is below the 25-acre threshold in the MMRA. The footprint of the access road, processing building, and related infrastructure are shown in Figure 1 (attached). Site preparation would include clearing vegetation, salvaging the available soil (average 6-inch depth) and stockpiling the material in existing pile #2 (approx. 87,000 cubic feet; see Figure 1). Designs and pre-construction drawings for the facilities and infrastructure are attached to this application.

2. Water Quantity and Quality

i. **Does the revision include modifications, disturbance, or activities that may influence stormwater runoff flow paths, runoff or sediment management features, and/or outfalls?**

- Yes
- No

**Response to explain the selection** (details about stormwater conveyance; current and proposed management and monitoring systems; address any updates required for other water quality permits):

The additional permit area and disturbance area would increase the amount of potential runoff within the mine site. Stormwater and runoff would be managed through BMPs and control features that would be installed in the new disturbance area, consistent with the conditions in the existing MPDES Permit #1001234. The additional runoff would be within the capacity of the existing control and retention systems, so no changes would occur at the outfalls. Updates will be made to the SWPPP accordingly.

ii. **Does the revision include modifications, disturbance, or activities that may influence surface water features, groundwater, onsite water uses, storage or conveyance methods, water treatment, and/or discharge?**

- Yes
- No

**Response to explain the selection** (details about nearby surface water and groundwater; current water uses, management, and/or monitoring systems; address any updates required for other water quality or use permits):

The relocation of the ore processing building would change the route and total length of the pipelines that convey tailings and water between the buildings and the tailings storage facility. There would be no changes to production or the flow rates conveyed by the pipelines. The pipelines occur on the ground surface and they would be shifted/installed in the new location. There would be no changes to the sitewide water balance or the approved methods of water treatment and discharge. The current systems and plans for water management and hydrologic monitoring would continue to be implemented (Section 3.5). There would be no anticipated changes to surface water (0.75 mile from the site), nor to groundwater which occurs approximately 200 feet below the surface.

3. Air Quality

**Does the revision include modifications, disturbance, or activities that may influence air quality from potential sources of fugitive dust, equipment, facilities, and/or other emission sources?**

Yes

No

**Response to explain the selection** (details about dust control on disturbed areas and emission sources; management and monitoring systems; address any updates required for other air quality permits):

The relocation of the ore processing building would not significantly affect air quality. The additional disturbance area (4.0 acres) would be primarily covered with facilities, but any exposed ground would be managed with dust control methods that are applied elsewhere at the site (spray water and/or magnesium chloride). The equipment, facilities, and mitigation methods associated with ore processing are included in the current Air Quality Permit (MAQP#1234). The relocated facility would operate in the same manner as the current facility, but DEQ Air Quality will be consulted prior to construction about any permit changes that may be needed.

4. Historical and Cultural Resources

**Does the revision include modifications, disturbance, or activities that may influence historical or cultural resources?**

Yes

No

**Response to explain the selection** (details about potential historical or cultural resources; summary of any previous investigations or consultation with State Historic Preservation Office; plans for avoidance, mitigations, or contingencies):

There would be no effects to historical or cultural resources by expanding the permit and disturbance areas and relocating facilities. The proposed area was included within the surveys conducted for initial permitting (2003-2004) and no sites were found (see Application, 2004). See the attached correspondence with SHPO.

**C. Identify previous environmental analyses relevant to the revision- ARM 17.24.120(1)(c)**

**Response** (reference the Environmental Assessment(s) or Impact Statement(s) completed for the initial permit application and/or subsequent permit amendments; summarize how these analyses apply to the areas or plans associated with the revision):

An EIS was completed for the initial permit application in 2006. This document evaluated and disclosed the impacts for mining, ore processing, and waste disposal. An EA was completed in 2010 to expand the tailings storage facility and to increase the capacity of pipelines. The components of this revision are consistent with the previous environmental analyses, although the disturbance footprint would slightly increase and the facilities would be relocated. The operation, reclamation, and monitoring for the expanded area would be consistent with the plans approved through the 2006 and 2010 analyses.

**D. Reference prior commitments to topsoil salvage, sediment control, reclamation, and other previously approved plans or standards- ARM 17.24.120(1)(d)**

**Response** (describe prior commitments, plans, and applicable methods, through site-specific details or summarize with specific citations to text in other existing documents; describe how the proposed revision is consistent with these standards or explain any proposed changes):

The plans for topsoil salvage and stockpiles, sediment control methods, and reclamation are detailed in the initial permit application (2004), major amendment (2010), and updated Operating and Reclamation Plans (2019). The original ore processing facility will be demolished and the debris will be moved from the site, in accordance with the approved Reclamation Plan (Section 5.2). The new ore processing building will operate in the same manner as the previously approved facility and similar infrastructure (tailings and water pipelines, natural gas line, overhead powerlines) would need to be constructed at the new location (Section 3.3). Designs and pre-construction drawings for the facilities and infrastructure are attached to this application. This revision would involve the expansion of the permit boundary by 12.5 acres, but actual ground disturbance would increase by only 4.0 acres from access road construction, site preparation, construction, and operation of the facility. Site preparation would include clearing vegetation, salvaging the available soil (average 6-inch depth) and stockpiling the material in existing pile #2 (approx. 87,000 cubic feet; see Figure 1). The stockpile will be planted with a temporary seed mix to reduce erosion of the pile prior to being used for reclamation. These methods are consistent with previously approved plans (Section 6.2) and the disturbance areas and stockpile volumes will be updated in the Annual Progress Report. The same Reclamation Plan requirements for facility demolition and removal, followed by grading, soil placement, and revegetation of the footprint, would apply to the new facility (Section 5.2).

**E. Document the adequacy of existing bonding- ARM 17.24.120(1)(e)**

**Current Obligated Bond Amount:** \$16,750,000

**Current Unobligated Bond Amount:** \$250,000

**1. Is the existing bond adequate to address the reclamation costs resulting from the proposed revision?**

Yes

No

Cost Estimate Attached, Total Amount: \$95,000

**2. If unobligated bond is available, would you like to apply this amount to the bond increase resulting from this revision?**

Yes

No

N/A

**Response to explain the selection** (consider all aspects of reclamation methods and costs that would result from the proposed revision, including: disturbance acreage; material balance for backfill, grading, and/or soil placement; decommission and remove equipment, facilities, and infrastructure; revegetation and weed control; current rates for equipment and personnel, etc.):

This revision would result in additional disturbance area that would need to be graded, covered with soil, and revegetated in accordance with the Reclamation Plan (Sections 6.1, 6.2, and 6.6). The demolition and removal costs for the new facility would remain the same as reflected in the current bond for removal of the old facility, but the removal of extended pipelines and additional infrastructure would add costs. A cost estimate is attached to this application.

**F. Replacement pages and maps for the approved Operating and Reclamation Plans- ARM 17.24.120(1)(f)**

**The proposed revision results in modifications to the following document(s):**

Operating Plan

Pages Attached (Redline/tracked changes)

Pages Attached (Clean version)

Maps/Figures Attached

Reclamation Plan

Pages Attached (Redline/tracked changes)

Pages Attached (Clean version)

Maps/Figures Attached

**Response to explain the selection** (summarize the replacement pages and figures that are needed to reflect the details of the proposed revision; explain if attachments are included with the application or provide a deadline for submittal to DEQ):

This revision would result in additional permit and disturbance areas and relocated facilities. The text of the Operating and Reclamation Plans should be updated to describe the new ore processing facility, pipelines, and associated infrastructure (Operating Plan Section 3.3, Reclamation Plan Sections 5.2, 6.1, 6.2, and 6.6). Updated maps and figures are also needed to reflect the modified boundaries and new facilities. Replacement documents and maps are attached to this application. The new information will also be incorporated into future Annual Progress Reports.

**G. Construction, Operating, Reclamation, Monitoring, and Contingency Plans- ARM 17.24.120(1)(g)**

**The proposed revision results in modifications or updates to the following document(s):**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> <b>Construction Plan</b> | <input type="checkbox"/> Attached (Redline/tracked changes) | <input checked="" type="checkbox"/> Attached (Clean version) |
| <input checked="" type="checkbox"/> <b>Operating Plan</b>    | <input type="checkbox"/> Attached (Redline/tracked changes) | <input checked="" type="checkbox"/> Attached (Clean version) |
| <input checked="" type="checkbox"/> <b>Reclamation Plan</b>  | <input type="checkbox"/> Attached (Redline/tracked changes) | <input checked="" type="checkbox"/> Attached (Clean version) |
| <input type="checkbox"/> <b>Monitoring Plan</b>              | <input type="checkbox"/> Attached (Redline/tracked changes) | <input type="checkbox"/> Attached (Clean version)            |
| <input type="checkbox"/> <b>Contingency Plan</b>             | <input type="checkbox"/> Attached (Redline/tracked changes) | <input type="checkbox"/> Attached (Clean version)            |

**Response to explain the selection(s)** (based on other details provided for this revision, identify any documents and/or figures that need to be updated; explain if attachments are included with the application or provide a deadline for submittal to DEQ):

See previous responses. The text of the Operating and Reclamation Plans should be updated to describe the new ore processing facility, pipelines, and associated infrastructure (Operating Plan Section 3.3, Reclamation Plan Sections 5.2, 6.1, 6.2, and 6.6). Updated maps and figures are also needed to reflect the modified boundaries and new facilities. Replacement documents and maps are attached to this application. Updates will be made to the SWPPP for MPDES Permit #1001234. Designs and pre-construction drawings for the facilities and infrastructure are attached to this application. As-built drawings will be provided at a later date, to verify the assumptions used for bonding demolition and removal. There would be no changes to monitoring or other contingency plans.

**H. Updated or comprehensive facilities map(s) clearly indicating the proposed revision features and all areas subject to pre-July 1, 1974, bonding levels- ARM 17.24.120(1)(h)**

- Updated map(s) attached
  - Pre-July 1, 1974, disturbance is shown
  - Pre-July 1, 1974, disturbance does not occur at the site

**Response to explain the selection(s):**

See previous responses. Updated maps and figures are needed to reflect the modified boundaries and new facilities. Replacement maps are attached to this application. The new information will also be incorporated into future Annual Progress Reports.