US EPA ARCHIVE DOCUMENT

copy

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

JAN 31 2007

REPLY TO THE ATTENTION OF:
WU-16J

CERTIFIED MAIL 7001 0320 0006 0198 5538
RETURN RECEIPT REQUESTED

Jonathan C. Cherry, P.E.
Manager Environment & Governmental Affairs
Kennecott Eagle Minerals Company
1004 Harbor Hill Drive, Suite 103
Marquette, Michigan 49855

Re: Request for Underground Injection Control Program Information for Eagle Project; Marquette County, Michigan

Dear Mr. Cherry:

I appreciated the chance to meet with you on January 16, 2007, when representatives from your company came to Chicago to present an overview of the proposed Eagle Project mine in Michigan. During our meeting, we discussed various U.S. Environmental Protection Agency (U.S. EPA) requirements which might apply to the project, specifically the submittal of Underground Injection Control (UIC) inventory information. As you know, we need to determine which of the proposed Class V wells for the project may be authorized by rule and which would need a permit before their construction and operation. In order for U.S. EPA to move forward and conduct a timely review of the project, the UIC information needs to be provided as soon as possible.

I understand that you have received our March 2006 letter requesting this inventory information and that you have had conversations with my staff from the UIC program about U.S. EPA requirements for the proposed mine and activities that would be considered "injection" through Class V wells. To clarify, the kinds of potential Class V wells we have identified as being associated with the project are the large-capacity septic system, the industrial treated water infiltration system, and the mine backfill wells (water injection into the mine itself).

Based on our review of the permit application and other public information on file with the Michigan Department of Environmental Quality, the treated water infiltration system will require a UIC permit before the system can be constructed. This permit is required to ensure that the infiltration system would not endanger an underground source of drinking water. We will make a determination about other potential requirements after we receive the inventory from you. For your convenience, we have enclosed a permit

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application form and the associated attachments. Additional information can be found on the U.S. EPA Region 5 UIC website at www.epa.gov/region5/water/uic.

We would like to have an opportunity for further discussions with you regarding the review of the inventory information and the UIC permit process. Please contact Ross Micham at (312) 886-4237 or via email at micham.ross@epa.gov to let us know your availability for a conference call within the next two weeks so we can discuss applicable federal permitting requirements and timeframes.

Sincerely yours,

Jo Lynn Traub
Director, Water Division

Enclosures

cc: Hal Fitch, Michigan Department of Environmental Quality
Todd Warner, KBIC Natural Resources Department

Type or print all information. See reverse for instructions.

Form Approved OMB No. 2040-0042

INVENTORY OF INJECTION WELLS

EPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF GROUND WATER AND DRINKING WATER

(This information is collected under the authority of the Safe Drinking Water A

1. DATE PREPARED *(Year, Month, Day)* — YR | MO | DY

2. FACILITY ID NUMBER

PAPERWORK REDUCTION ACT NOTICE

The public reporting burden for this collection of information is estimated at about 1 hour per year, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503.

3. TRANSACTION TYPE *(Please mark one of the following)*

- ☐ Deletion
- ☐ First Time Entry
- ☐ Entry Change
- ☐ Replacement

4. FACILITY NAME AND LOCATION

A. NAME *(last, first, and middle initial)*

B. STREET ADDRESS/ROUTE NUMBER

C. LATITUDE — DEG | MIN | SEC

D. LONGITUDE — DEG | MIN | SEC

E. TOWNSHIP/RANGE — TOWNSHIP | RANGE | SECT | 1/4 SECT

F. CITY/TOWN

G. STATE

H. ZIP CODE

I. NUMERIC COUNTY CODE

J. INDIAN LAND *(mark "x")* ☐ Yes ☐ No

5. LEGAL CONTACT:

A. TYPE *(mark "x")* ☐ Owner ☐ Operator

B. NAME *(last, first, and middle initial)*

C. PHONE *(area code and number)*

D. ORGANIZATION

E. STREET/P.O. BOX

F. CITY/TOWN

G. STATE

H. ZIP CODE

I. OWNERSHIP *(mark "x")* ☐ PRIVATE ☐ PUBLIC ☐ SPECIFY OTHER ☐ STATE ☐ FEDERAL _____

6. WELL INFORMATION

A. CLASS AND TYPE		B. NUMBER OF WELLS		C. TOTAL NUMBER OF WELLS	D. WELL OPERATION STATUS				
		COMM	NON-COMM		UC	AC	TA	PA	AN

COMMENTS *(Optional):*

KEY:

DEG = Degree
MIN = Minute
SEC = Second

SECT = Section
1/4 SECT = Quarter Section

COMM = Commercial
NON-COMM = Non-Commercial

AC = Active
UC = Under Construction
TA = Temporarily Abandoned
PA = Permanently Abandoned and Approved by State
AN = Permanently Abandoned and not Approved by State

Instructions and Definitions

Section 1. Date Prepared: Enter date in order of year, month, and day.

Section 2. Facility ID Number: In the first two spaces, insert the appropriate U.S. Postal Service State Code. In the third space, insert one of the following one letter alphabetic identifiers:

D - DUNS Number,
G - GSA Number, or
S - State Facility Number.

In the remaining space, insert the appropriate nine digit DUNS, GSA, or State Facility Number. For example, A Federal facility (GSA - 123456789) located in Virginia would be entered as: VAG123456789.

Section 3. Transaction Type: Place an "x" in the applicable box. See below for further directions.

Deletion. Fill in the Facility ID Number.
First Time Entry. Fill in all the appropriate information.
Entry Change. Fill in the Facility ID Number and the information has changed.
Replacement.

Section 4. Facility Name and Location:

A. **Name.** Fill in the facility's official or legal name.
B. **Street Address.** Self Explanatory.
C. **Latitude.** Enter the facility's latitude (all latitudes assume North except for American Samoa).
D. **Longitude.** Enter the facility's longitude (all longitudes assume West except for Guam).
E. **Township/Range.** Fill in the complete township and range. The first 3 spaces are numerical and the fourth is a letter (N, S, E, W) specifying a compass direction. A township is North or South of the baseline, and a range is East or West of the principal meridian (e.g., 132N, 343W).
F. **City/Town.** Self Explanatory.
G. State. Insert the U.S. Postal Service State abbreviation.
H. **Zip Code.** Insert the five digit zip code plus any extension.
I. **Numeric Country Code.** Insert the numeric country code from the Federal Information Processing Standards Publication (FIPS Pub 6-1) June 15, 1970, U.S. Department of Commerce, National Bureau of Standards. For Alaska, use the Census Division Code developed by the U.S. Census Bureau.
J. **Indian Land.** Mark an "x" in the appropriate box (Yes or No) to indicate if the facility is located on Indian land.

Section 5. Legal Contact:

A. **Type.** Mark an "x" in the appropriate box to indicate the type of legal contact (Owner or Operator). For wells operated by lease, the operator is the legal contact.
B. **Name.** Self Explanatory.
C. **Phone.** Self Explanatory.
D. **Organization.** If the legal contact is an individual, give the name of the business organization to expedite mail distribution.
E. **Street/P.O. Box.** Self Explanatory.
F. **City/Town.** Self Explanatory.
G. **State.** Insert the U.S. Postal Service State abbreviation.
H. **Zip Code.** Insert the five digit zip code plus any extension.
I. **Ownership.** Place an "x" in the appropriate box to indicate ownership state.

Section 6. Well Information:

A. **Class and Type.** Fill in the Class and Type of injection wells located at the listed facility. User the most pertinent code (specified below) to accurately describe each type of injection well. For example, 2R for a Class II Enhanced Recovery Well, or 3M for a Class III Solution Mining Well, etc.
B. **Number of Commercial and Non-Commercial Wells.** Enter the total number of commercial and non-commercial wells for each Class/Type, as applicable.
C. **Total Number of Wells.** Enter the total number of injection wells for each specified Class/Type.
D. **Well Operation Status.** Enter the number of wells for each Class/Type under each operation status (see key on other side).

Injection Well Class and Type Codes

Class I Industrial, Municipal, and Radioactive Waste Disposal Wells used to inject waste below the lowermost Underground Source of Drinking Water (USDW).

Type 1I Non-Hazardous Industrial Disposal Well.
1M Non-Hazardous Municipal Disposal Well.
1H Hazardous Waste Disposal Well injecting below the lowermost USDW.
1R Radioactive Waste Disposal Well.
1X Other Class I Wells.

Class II Oil and Gas Production and Storage Related Injection Wells.

Type 2A Annular Disposal Well.
2D Produced Fluid Disposal Well.
2H Hydrocarbon Storage Well.
2R Enhanced Recovery Well.
2X Other Class II Wells.

Class III Special Process Injection Wells.

Type 3G *In Situ* Gassification Well.
3M Solution Mining Well.
3S Sulfur Mining Well by Frasch Process.
3T Geothermal Well.
3U Uranium Mining Well.
3X Other Class III Wells.

Class IV Wells that inject hazardous waste into/above USDWs.

Type 4H Hazardous Facility Injection Well.
4R Remediation Well at RCRA or CERCLA site.

Class V Any Underground Injection Well not included in Classes I through IV.

Type 5A Industrial Well.
5B Beneficial Use Well.
5C Fluid Return Well.
5D Sewage Treatment Effluent Well.
5E Cesspools (non-domestic).
5F Septic Systems (non-domestic).
5G Experimental Technology Well.
5H Drainage Well.
5I Mine Backfill Well.
5J Waste Discharge Well.