



Cabinet Resource Group Newsletter

Protecting our natural resources through education and action

Summer 2015

© 1996 Cabinet Resource Group

Contact us at 847-2024. Include your current email if you would like to receive notice of board meetings, **ACTION** alerts, and car pools. Your concerns, interest and energy are welcome!

Montanore and Rock Creek discharge permits before EIS hints a done deal.

Public meeting last days of comment period: August 31, Libby — and — September 1, Noxon

Cesar Hernandez has devoted myriad hours to reading and fleshing out the details from the proposed Montanore and Rock Creek mines. His notes are synopsised here.

as noted in the DEQ Public Notice (#MT-15-36) might appear mundane, reading the accompanying 100-page document is characteristic irony because it is primarily the Dept. of Environmental Quality speaking, but what you should notice is not that they are protecting the environment, but rather continuously providing excuses (BHES ruling) for allowing it to be degraded.

CRG BOARD

Cesar Hernandez, chair
Polson
406-883-3177

Kim Matthew, vice chair
Trout Creek
406-827-4320

Deb Achatz, secretary/treasurer
Trout Creek
406-827-3973

Colleen Hinds
Heron
406-847-2209

Tobo Leivestad
Trout Creek,
406-827-3981

Jim Nash
Noxon
406-847-5510

Tom Humphreys
Noxon
406-847-2594

Montanore discharge permits degradation of Libby Creek

The recent MT Dept. of Environmental Quality release of three public participation notices regarding water quality permits for the proposed Montanore and Rock Creek Mine Projects couldn't come at a more untimely season for the participating public. The release of highly technical documents (361 pages total) and the scheduling of meetings at the end of the summer season when most families are finishing out vacations prior to the start of a new school year appears designed to accommodate state personnel travel plans rather than public participation. The fact that all three proposals have the same close of comment period (Sept. 2, 2015) and entail back-to-back public meetings on consecutive days in Libby and Noxon confirms this suspicion.

The first draft permit is for the proposed Montanore mine near Libby, MT and entails treated wastewater at three existing outfalls near the current mine adit (001-003) and at five new storm water outfalls (004-008) entailing a new Upper Libby Creek adit and the Poorman tailings impoundment. It provides for effluent limits at outfalls (004-008) for oil, grease and PH. The draft permit also establishes a Waste Load Allocation of 24 tons/year.

While to the casual reader this description

Montanore Minerals Corp. isn't far behind because the company asked for variance on June 29, 2015 for total nitrogen and total phosphorus be incorporated into their permit; which DEQ promptly granted for total nitrogen, but not phosphorus. Variances are granted for periods not to exceed 20 years and are basically a get out of your obligations (jail) free card. Page 26

After pouring through the 100-page document I was beleaguered with doubt that a layperson such as myself could or would do justice reporting on the document. But when I got to page 45 of the permit I had my answer in that a picture is worth a thousand words. That answer was found in Tables 27 & 28 listing the Numeric Effluent Limitations for all of the outfalls (better

Continued on page. 3

Inside...

- **Rock Creek discharge permit problems**
- **The End of Troy Mine**
- **Conversation with a mine supporter**

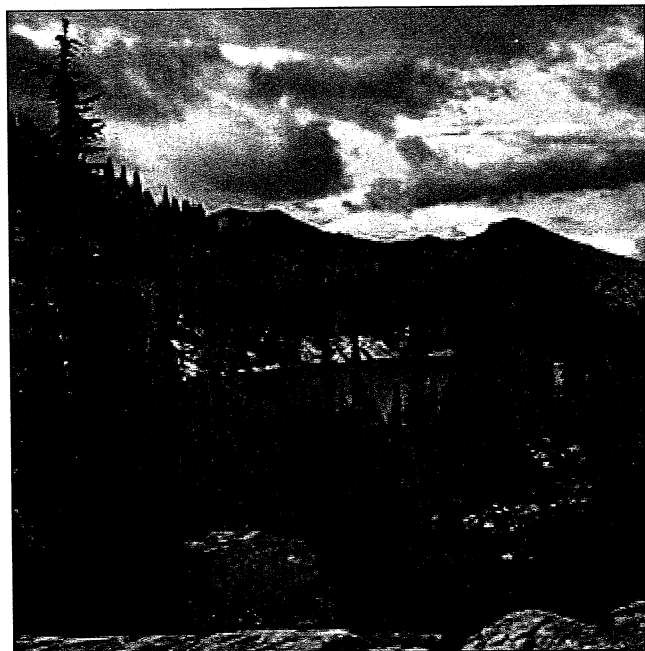
Rock Creek permits

The good, the bad, and the ugly

By Cesar Hernandez

Of the two publicly noticed permits for the proposed Rock Creek Mine the first (MT 0031763) is for Rock Creek road reconstruction to accommodate a buried water and power line for the mine exploration program adit. This permit application is rather mundane and approximates the activities one would associate with typical gravel road reconstruction (best management practices BMP's), albeit with monitoring requirements. MT Fish Wildlife and Parks has asked for a construction timeline for the project because of aquatic concerns for monitoring purposes and this request has been incorporated as part of the permit. I can't say much on this permit other than that it deserves consideration because it will supposedly reduce some of the sediment problems that plague Rock Creek.

The second Rock Creek mine permit (MT0030287) requests MPDES permits for the paste plant (#003), the mill site (#004) and the exploration adit and storm water control, detention & treatment facility (#006 & 007). The second of the two permits raises some questions, because one part is for the proposed exploratory adit (#003) which complements the purpose of the first permit for road reconstruction access to the adit site. However, the other parts (#003 & 004) of the second permit apply to the paste plant and mill site, both is basically conditioned to the approval to mine if it is determined that a Rock Creek mine is finally permitted. The USFS and DEQ have told the public all along that this entire process is not a foregone conclusion and that the final permitting is conditioned on a lot of other factors. Why RC Resources is applying for an MPDES permit for the paste plant and mill before the Final EIS and a Record of Decision is released doesn't really square, and is akin to placing the horse before the cart considering that an exploration plan hasn't been implemented and data about ore-body quantity, quality and a host of other mechanics and science hasn't even been gathered, much less assessed. Granting permits to pollute before all the projects confirming data is in is akin to putting the horse before the cart. That DEQ is even considering this process even before release of the Final EIS and Record of Decision is another sign the regulatory agencies consider permitting a Rock Creek Mine is a done deal.



Cliff Lake, above the proposed Rock Creek Mine—what could possibly go wrong?

That said, both the mill site and paste plant will be prime source of heavy metal contamination. The paste plant because it will receive and concentrate the residual heavy metals (cadmium, arsenic, mercury, etc.) that the mill does not extract as marketable ore. The mill process concentrates the metals (copper / silver) the mining company is after, and store it on site for transport to a railhead. It is in the loading of this concentrate that a portion of it gets spread around and mixes with snow whence it is plowed all over the place. As the mill site is to be located at a junction of the East and West Forks of Rock Creek, the potential for pollution is greatest at the mill site. Going back to the analog Troy mine, where this was a constant problem that contaminated adjacent Stanley Creek, DEQ needs to adopt some requirements dealing specifically with snow precipitation and its disposal. A separate plowed snow retention facility needs to be incorporated into this permit application for both of these outfalls (#003 & 004). One might be interested in comparing the numeric discharge limitation numbers in these two outfalls and guessing about the differences, and asking for an explanation or rationale from DEQ?

An interesting item that is missing in these permit applications is an MPDES permit for the waste water treatment facility that is supposed to accompany this proposed mine? It makes me wonder if DEQ is overlooking this aspect because the mining company eventually intends to avoid a direct discharge to the Clark Fork River (remember crossing WWP / Avista land and the in-stream water diffuser?). Dewatering water from the paste plant would then report directly to the tailings impoundment for which DEQ has demonstrated a more than willingness to give a groundwater mixing zone that extend down the Clark Fork River for a mile or more.

Another question that should be brought up is the MPDES permit for the tailings impoundment and when or why not has DEQ publicly noticed it? If the tailings impoundment will fall under either of these two MPDES permits in the future as an amendment?

Public comments on these proposed MPDES permits will be accepted until the close of business on Sept. 2, 2015 and can be directed to DEQ Permitting & Compliance Division, Water Protection Bureau, P.O.B. 200901, Helena, MT 59620. You may send them electronically via e-mail DEQWPBPublicComment@mt.gov

Montanore discharge permit “a slap in the face”

Continued from Page 1

termed discharges) the permits are all about. Of the thirty parameters regarding water from the proposed mining operations Montanore Minerals Corporation was only required to abide by 10, for the other 20 DEQ was providing “Authorization to Upgrade” and that said it all! Only in the USA are Big Banks too Big to Fail and legislation entitled the Clean Water Act a vehicle used by government to excuse pollution by Big Mines too good to meet the standards the rest of us have to live by.

To keep things in perspective there were a few other interesting tidbits people should think about. TMDL is an acronym for Total maximum Daily Load which is basically waste load allocation (WLA) or how much garbage a system can accommodate before we look at it as pollution. DEQ granted MMC a 24-ton per year WLA for Libby Creek, based solely on the criteria that Libby Creek in the area of the mine isn't polluted down to the last monitoring station (LB-300) the mine is subject to. However, just ½ mile down stream from LB-300 Libby Creek is impaired, meaning it does not support aquatic life because of substrate habitat alterations and/or alteration in stream-side or littoral vegetative covers. The former (substrate) could be a result of historical placer mining and the latter a result of poor historic logging practices. In either case, it makes little sense for DEQ to allow an additional 24-tons per year of total suspended solids from mining operations that will probably settle out in the stretch of currently impaired stream immediately below the mine. If you or I were to back our pickup truck to a stream and unload our grass clippings we would certainly be cited for polluting. But MMC, which has publicly promised to be a good steward of the environment gets a by and a 24-ton per year window to pollute. And all of this by the way is supposed to protect endangered species such as the Bull Trout? Kinda makes you wonder if the US Fish & Wildlife Service took this into consideration when they wrote their biological opinion on the Bull Trout?

Another frustrating issue is the DEQ citations and utter reliance on a Nov. 20, 1990 Board of Environmental Health (BHES) authorization allowing (originally Noranda Minerals) to degrade water quality in Libby Creek. That decision was made near 25 years ago. 25 years in which we have seen the value of clean water become a paramount issue not only in places like the

South West (think Lake Mead), but critically in States like California where drought is ravaging the state with fire and its agricultural sector. This year NW Montana is not far behind as trending global warming reduces our winter moisture and expedites our spring runoff. Perhaps the BHES ruling made a little bit of sense in 1990, but 25 years and a lot of scientific data (to say nothing of El Nino) certainly raise the question of whether that ruling should be revisited?

Lastly I would like to cite an issue referencing the analog mine at Troy totally overlooked by the DEQ in both the Montanore and Rock Creek proposals but which needs be addressed at both ventures. That issue is snow! Snow is precipitation with another identity but still precipitation. And all of these permit proposals deal with not only water coming out of holes in the ground but the precipitation that falls on the facilities. At



our Troy analog mine, there have been years and decades of overlooked snow-plowing activity at the mine site and mineral processing facilities. Snow plowing at Troy has polluted adjacent Stanley Creek with heavy metals for years. There are numerous Field Inspection Reports with paragraphs, photographs and sampling analysis showing heavy metal pollution (copper, cadmium, etc) from snowplowing activity that picked up fugitive mineral elements from processing

facilities. This heavy metal pollution exceeded standards for a host of metals and required in-stream cleanups. As if vacuuming a stream bottom ever gets but a miniscule amount of the product dumped into it? DEQ needs to require in these permits that any snowfall precipitation (especially around the mills) be secured in a separate containment area, allowed to melt, then treated and provided with its own discharge requirement. This situation occurred repeatedly at the analog Troy mine and was all but ignored by DEQ's permitting process.

In summary: The Proposed Montanore Mine permit is a slap in the face and a farce at environmental protection of our State's public waters. Montanore Minerals Corporation should get their nose rubbed in this stinking permit that belies all of the promises the company spokespeople have made about being stewards of the environment.

Written by Cesar Hernandez

The End is Near — er, Here!

By Bill Martin

It was about this time of year, in 1976, that Nola Sloan, one of the first teachers in the Troy area and an original CRG member, wrote a letter on our behalf to Jack Bingham of ASARCO. She politely requested that, since the proposed Troy mine that we had heard about would have a significant impact on our community, perhaps he would be so kind as to come to a public meeting that we would be happy to arrange, and inform us as to what was being planned, and answer such questions as we might have.

"I have never heard of your group," he responded, "but if you are in fact a legitimate organization, you can come to our office in Wallace, and if I'm not busy, I'll talk to you."

Thus it began.

Now, after two cultures of ASARCO, Sterling/Genesis morphing into Revett, and Revett being subsumed into Hecla, the Troy mine has come to its end. Reclamation will go into full gear next spring, and is expected to take 2 ½ to 3 years. Equipment will be recycled or scrapped, all buildings will be removed, except for foundations, which will be covered. All but one adit (that from which the mine-water issues) will be sealed. The main road, which has become the major public access to Spar Lake, will be maintained, as will an access road to the mine site along the pipeline, but all other roads will be reclaimed.

Why Otter Creek Mine matters to us

When you honestly stare down the barrel of the global warming gun that is being held to our heads, the disaster that is unfolding even more quickly than most predicted is overwhelming. We environmental activists are people used to taking on large problems and whittling away at them until they are solved. We saved the bald eagle from extinction, cleaned up Love Canal, brought back wolves to Yellowstone and much of the northwest, saved the grizzly bear from extinction in the lower 48, and millions of other successes. But all of it is for NOTHING if we cannot get the global warming problem turned around. And that problem is daunting. However, we now have a target that gives us at least SOMETHING to hope for. Keep the damn fossil fuels in the ground. Period. Whatever it takes. Or what? Or witness the cessation of most of life on earth within a few generations. Yes, it's that bad. Please read on for ONE BIG WAY YOU CAN HELP. It only takes writing a letter or email right now, and here's the explanation of what that important letter is about.

A smart, caring group called 350Missoula.org spoke at the CRG annual meeting and made us agonizingly aware that we have no hope of avoiding a 2 degree earth temperature rise, and the associated damage to major life support systems that is already beginning to be seen. However, they are passing along calculations from 350.org that offer meaningful action to alleviate the desperation and hopelessness in anyone who honestly reflects on the colossal mess our species is making on this planet. Here's what they told us: We might have a chance at preventing the FOUR degree rise predicted currently.

Here is what that chance depends on: To prevent the 4 degree rise that would basically destroy most of the natural systems life on the planet depends on, more than TWO-THIRDS OF THE WORLD'S IDENTIFIED FOSSIL FUEL RESERVES MUST STAY IN THE GROUND (and all of the as yet unknown ones, too). We must do this or the whole precarious balance that has been our livelihood on this tiny dust speck in this infinite universe falls apart. Period. No weasel room. No do-overs.

Keeping 2/3 of the known reserves in the ground may not even be enough. Now it has been discovered that the ice sheets in the Greenland Fjords are melting much more quickly than was thought, and if they all melt, we can expect a calamitous 21 foot sea level rise sooner than later (<http://www.dailykos.com/...>). But the 2/3 goal gives us something to shoot for. Maybe we can even do better than 2/3 if we try. Coal divestitures are apparently working, and coal stock prices are collapsing, and several eastern U.S. coal companies have declared bankruptcy, though that's partially due to cheaper natural gas from fracking.

Why does this matter in CRG country? The proposed Otter Creek mine in south central Montana would be the largest strip coal mine in the U.S. They intend to ship that windfall on trains, mainly through Libby, but some through Sanders County, all the way to Asia, to burn, burn, burn. Cumulative Effects accrue along the way, including increased train traffic disruptions, and of course, global warming. That affects ALL of us.

Thanks to 350Missoula.org for the great presentation at our annual meeting.



Two-thirds of fossil fuels MUST stay in the ground.

Conversation with a Rock Creek Mine supporter

Can we ever see eye to eye with our neighbors about the importance of diligence and honesty when addressing the likely environmental impacts of the Rock Creek Mine? Maybe.

The recent spill from an old mine upstream from Durango, Colorado, provided an irresistible chance for anti-government people to rail against government incompetence and corruption, as EPA has admitted to causing the spill as they tried to figure out how to fix the problem of toxins leaking into the stream.

A local supporter of Rock Creek Mine sent out a copy of a letter, published six days prior to the spill in the Silverton, CO, newspaper from a geologist, predicting the exact disaster that happened. "See?" he cried. "The government is inept and can't be trusted!"

I replied, "Can't wait till this happens in Rock Creek."

"I can hardly wait for the mine to open so there will be some prosperity for our young families in this county. We are highest in unemployment and our young people have to leave the area to find some way to make a living. This is criminal. Just because you have some way to make a living does not mean you can close the door to everyone else. There does not have to be an environmental disaster at every mine site. The minerals can be mined safely with out harming the country. You are enjoying the use of your computer at a reasonable cost along with your automobile and all other modern luxuries. Just where do you think the raw materials come from to make all of these things? We can have a clean environment and jobs at the same time, we do not have to close the country down." Said he.

Said I, "I whole heartedly agree we need to mine if we want to use metals. And I agree that the minerals can be mined safely without hurting our county – for a while. But the changes that are made to underground water flows are permanent, and put in place a less stable conditions than what has settle into the mountains since they last arose. The Troy Mine has already started caving in and creating cracks and holes on the mountain tops above it, and it's only a few decades old. These mines in Colorado are around a century old. You would be hard-pressed to name more than a handful of mines in the world that held up into perpetuity before the hole and the water in it had to shift. I'm surprised you have so much faith in government that their claims that the mine will never slump into the Clark Fork, never leak, and never subside or cause cracks that drain the mountain lakes right above it will ever, ever happen. The lack of expertise shown by the EPA in Colorado is horrible! Why you have more faith in them here, I have no idea." faith in government that their claims that the mine will never slump into the Clark Fork, never leak, and never subside or cause cracks that drain the mountain lakes right above it will ever, ever happen. The lack of expertise shown by the EPA in Colorado is horrible! Why you have more faith in them here, I have no idea."

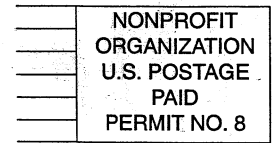
"I have no trust in the bureaucrats in the EPA," he replied sensibly. They have no idea what they are doing and refuse to listen to the real experts in that field. I know about the Troy Mine collapsing, I was underground once when one of the pillars collapsed and we could not see the top of the mine. There were boulders the size of houses falling and the concussion was knocking us off of our feet. However, these metals were formed right here on this earth and they are just as much a part of this earth as you and I are. There is so much water underground washing over these minerals that the whole planet should be polluted but it is not. I read the original EIS on the Troy Mine back in 1979 when it was first starting. The company was supposed to liquefy the tailings and pump them back into the mine when all mining ceased. Why is that not being done now that the mine has closed? Because of corrupt government officials letting them get away with it? I agree that greed and corruption in government and business is a cause of a lot of the failures in these types of projects, but to just stop mining and logging instead of solving these problems is not the answer. We need jobs and minerals too badly to let that happen."

I thought this was well-said. My reply: "at last you and I are on the same page. It's just that humans are always fallible. When we mess up the insides of a mountain, it rarely ends well. We have to be honest about that fact. If we are willing to honestly assess the potential consequences and live with them when they happen, then at least we've honestly counted them as a true cost of the mining. What bothers me is the refusal to admit the likelihood of those consequences, and just optimistically think the business and agencies will get it right, and protect us 'this time.'"

"Do not count on the federal government to get it right," he said. When I was at the mine, just before MSHA would come to make an inspection, all mining operations would stop for about four days before the visit. Then they would show up and take their air samples and say, "Oh your under ground air is just wonderful!" When just before and just after their visit, the air under ground would be so thick with silica dust and diesel smoke you could just barley see three feet. Then they would look around at the workers to see if they could give anyone a ticket for working in an unsafe manner. They gave me one or blowing my coveralls off with an air hose. Boy I felt safe after that. I do not think any of them had any experience with mining and they were totally corrupt. This is the quality of people that are at the EPA, they got the jobs because they are related to someone or they did someone a favor."

"This is EXACTLY why we should be VERY DILIGENT about the Rock Creek Mine proposal," I whole-heartedly replied. For some reason, he did not answer back.

Cabinet Resource Group
P.O. Box 238
Heron, Montana 59844



Current Resident, or:

Heads up, all! Your comments needed.

Please help get the word out!

Montana DEQ has issued three Public Notices for Public Comment Periods regarding the Wastewater Discharge Permits for both the proposed Rock Creek and Montanore Mines.

Comment deadline is close of business on 9/2/15 (written comments must be postmarked by this date). In this newsletter issue are important points to consider, and more detail is available from Cesar Hernandez. We will meet at 3 PM prior to the Noxon public meetings, September 1, at the home of Tom and Marty Humphreys in Noxon for discussion. Call 847-2594 for directions.

Local Public Comment Meetings:

For the Montanore Mine —

Monday, August 31, 2015 at 6:00 PM
Ponderosa Room of the Libby City Hall
952 E. Spruce St, Libby, Montana

For the Rock Creek Mine —

Tuesday, September 1, 2015

5:00 PM for the mine paste plant, millsite and exploration adit.wastewater permit;

7:30 PM for the road and pipeline wastewater permit
Noxon School, 300 Noxon Ave, Noxon, Montana.

Please come!

Written comments may be sent to DEQ Permitting & Compliance Division, Water Protection Bureau, P.O.B. 200901, Helena, MT. 59620. Postmark by Sept 2.

Or email the Department:

DEQWPBPublicComments@mt.gov

Your donations are tax deductible. CRG members receive our newsletter and special updates on natural resource issues. Members are invited to public forums, our annual membership meeting and monthly board meetings. If you care about the Cabinets, our natural resources, and the community of people who live here, we are just the grass roots group for you.

The CRG Newsletter is compiled, edited, and designed by CRG. All contents © 8/2015 CRG. If you would like to send a comment or have questions, contact a CRG board member listed on the front of this publication.