



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
REGIONAL ADMINISTRATOR

NOTICE OF FINAL PERMIT DECISION
Final Permit Decision for Class III In-Situ Production of Copper
Permit No. R9UIC-AZ3-FY11-1
For the Florence Copper Production Test Facility

Issuance Date: October 13, 2017

In accordance with the requirements of the Code of Federal Regulations (C.F.R.), Title 40 § 124.19(l), the United States Environmental Protection Agency, Region 9 (EPA) is issuing the final Class III Underground Injection Control (UIC) Permit, No. R9UIC-AZ3-FY11-1, to Florence Copper, Inc. for an In-Situ Copper Production Test Facility (PTF). The final UIC Permit and a copy of this notice is available on EPA's web page at <https://www.epa.gov/uic/uic-permit-materials-florence-copper-inc>.

This Permit was originally issued on December 20, 2016, and was subsequently appealed to the Environmental Appeals Board (EAB) for review under 40 C.F.R. § 124.19. The Permit was stayed pending review by the EAB. After review of briefs filed in the appeal and oral argument, the EAB issued an order denying the petitions for review of the Permit on September 22, 2017.

The issuance date of the final UIC Permit is two weeks after the date this notice is signed, per 40 C.F.R. § 23.7. This issuance date operates as the final agency action for purposes of judicial review under 42 U.S.C. § 300j-7 and 5 U.S.C. § 704. Pursuant to 40 C.F.R. § 144.39, EPA is concurrently revoking the existing Class III Permit no. AZ396000001.

Signed,

_____/ s /_____

Alexis Strauss
Acting Regional Administrator

September 29, 2017

Date