



REGION 8

DENVER, CO 80202

Ref: 8WD-SDU

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Deidre Beck, Manager
Ground Water Protection Permitting Section
Division of Water Quality
Utah Department of Environmental Quality
dbeck@utah.gov

Re: Underground Injection Control Program Aquifer Exemption Approval for Lisbon Valley Mining Company, LLC, Lisbon Valley Copper Mine Project, GTO ISR Wellfield Area, San Juan County, Utah

Dear Ms. Beck:

The U.S. Environmental Protection Agency Region 8 has reviewed your aquifer exemption (AE) request received electronically on June 18, 2024, for the designation of a limited portion of the aquifer listed below as an exempted aquifer.

This request is in conjunction with the Class III copper in-situ recovery (ISR) project by Lisbon Valley Mining Company, LLC in San Juan County, Utah. The request relates to an AE for the GTO Wellfield Area of the Lisbon Valley Copper Mine Project.

APPROVAL OF PROPOSED AQUIFER EXEMPTION: Based on the review of supporting information provided by the Utah Department of Environmental Quality as detailed in the attached Record of Decision (ROD), the EPA is approving a non-substantial program revision (40 CFR §§ 144.7 and 145.32) to exempt a portion of Bed 15 of the Burro Canyon Formation (Kbc Bed 15). The extent and depth of the AE are as follows:

Description: Approximately 69 feet beyond the monitoring-well ring that surrounds mineralized areas or where Kbc Bed 15 is truncated by faulting (see ROD)

Area: Approximately 150 acres (0.23 square miles)

Approximate depth to top of the exempted aquifer: 540–850 feet

Approximate thickness: 40–150 feet

Based on review of the information provided, the EPA finds that the proposed injection zone in the Bed 15 of the Burro Canyon Formation meets the aquifer exemption criteria listed below:

- It does not currently serve as a source of drinking water (40 CFR § 146.4(a)); and
- It is mineral, hydrocarbon, or geothermal energy producing, or can be demonstrated by a permit applicant for a Class II or III operation to contain minerals or hydrocarbons that considering their quantity and location are expected to be commercially producible. (40 CFR § 146.4 (b)(1)).

The injection zone is confined above by shale, limestone, and chert in Bed 14 of the Burro Canyon Formation (Kbc Bed 14) and below by mudstone in the Brushy Basin Member of the Morrison Formation.

Please find enclosed the ROD, which supports this aquifer exemption decision by the EPA. The ROD includes additional background information, detailed analysis, and discussion of any public comments. If you have questions or concerns, please contact Omar Sierra-Lopez of my staff at (303) 312-7045 or sierra-lopez.omar@epa.gov.

Sincerely,

Sarah Bahrman, Acting Director
Water Division

Enclosure

cc: Porter Henze, UT DEQ, pkhenze@utah.gov