

October 5, 2022

Mark Thompson
Vice-President of Environmental Affairs
Montana Resources, LLC
600 Shields Ave.
Butte, Montana 59701

Sent by email to: mthompson@montanaresources.com

RE: Resolution to Amendment 010 Stipulation, Montana Resources LLC, Hard Rock Mine Operating Permit No. 00030

Dear Mr. Thompson:

The Department of Environmental Quality (DEQ) has reviewed the documents provided by Montana Resources, LLC (MR) on September 20, 2022. As stipulated in DEQ's approval of Amendment 010 to Hard Rock Mine Operating Permit No. 00030 on April 22, 2020, this information represents MR's efforts to engage with parties to the Butte Mine Flooding Operable Unit (BMFOU) Consent Decree, including Atlantic Richfield Company (AR), the Environmental Protection Agency (EPA), DEQ, and affiliated consultants.

As demonstrated by the documents that span from March to September 2022, MR and BMFOU parties conducted multiple meetings to discuss and evaluate the feasibility of eliminating the post-closure pumpback of water collected by the West Embankment Drain (WED) system, by handling and treating the WED seepage through the use of existing or upgraded water treatment facilities and infrastructure. In consultation with DEQ, EPA provided a letter on September 12, 2022 which confirms that the water collected by the WED after the cessation of mining would occur within the East Camp system and the agencies agree that this water would be managed as part of the BMFOU remedy.

DEQ concludes that this documentation satisfies the requirements of the Amendment 010 stipulation established on April 22, 2020. As noted in the submittal from September 20, 2022, MR will incorporate the agreement from EPA and DEQ into the details of the Operation and Reclamation Plans for Hard Rock Mine Operating Permit No. 00030. These details should also be considered and incorporated into potential future permitting actions and reclamation bond reviews for the tailings storage facility.

Please contact me if you have any questions.

Sincerely,



Garrett Smith
Geochemist
Hard Rock Mining Section, Mining Bureau
Montana Department of Environmental Quality
(406) 444-1967 or gsmith5@mt.gov

e-File: 00030.3

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