

**Division of Water Quality  
Utah Department of Environmental Quality  
Request for Public Comment**

**Purpose of Public Comment**

The Utah Department of Environmental Quality is soliciting comments on a draft Stipulation and Consent Order (SCO) to resolve a Notice of Violation and Compliance Order (NOV/CO, Docket No. UGW13-02) described below under authority of the Utah Water Quality Act, Utah Code Ann. §§ 19-5-101 to 19-5-123 including sections 19-5-104, 19-5-106, 19-5-111 and 19-5-115, and in accordance with Utah Administrative Procedures Act, Utah Code Ann. §§ 63G-4-101 to 63G-4-601.

**Site Information**

Responsible Party Name: Rio Tinto Kennecott Copper ( RTKC)

Facility Location: Salt Lake County, Utah

On February 4, 2013 approximately 696,000 gallons of slurry were released from a vent stack on the Copperton Concentrator 48-inch tailings pipeline. The release primarily flowed along the pipeline road. Tailings also breached a road berm, flowed down an unused road, and into an unnamed dry wash, all within RTKC property. A portion of tailings also flowed onto private property. RTKC completed a removal of the tailings solids from the affected area in March 2013 and reseeded the removal area in April 2013. On May 23, 2013, the Director of the Utah Division of Water Quality (DWQ) issued the referenced NOV/CO to RTKC. The parties have agreed to resolve the NOV by entering into a SCO requiring RTKC to:

- Permit the Copperton concentrator pipeline corridor in a modification of the Copperton Concentrator Ground Water Discharge Permit;
- Develop Best Available Technology (BAT) standards, monitoring, operating and reporting requirements for the 48-inch and 60-inch tailings lines in the pipeline corridor;
- Present a schedule of reports and actions that will be taken by RTKC regarding a contaminant investigation and possible corrective action for DWQ review and approval; and
- Pay a penalty of \$10,000.

**Public Comments**

The public is invited to review and comment on the SCO. At the conclusion of the comment period, the SCO will either be finalized as presented or modified, based on public feedback.

Public comments are invited any time prior to **Thursday, December 10, 2015**. Written comments may be directed to the Division of Water Quality, P.O. Box 144870, Salt Lake City, UT 84114-4870. All comments received prior to **Thursday, December 10, 2015**, will be considered in the formulation of the final SCO.

**Additional Information**

The SCO is available for review online at: <http://www.waterquality.utah.gov/PublicNotices/index.htm>

Related documents are available for review during normal business hours at the Division of Water Quality, 195 N. 1950 W., Salt Lake City. Additional information may be obtained upon request by calling Brian Hamos at (801) 536-4384 or [bhamos@utah.gov](mailto:bhamos@utah.gov) or by writing the aforementioned address.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Dana Powers, Office of Human Resources at (801) 536-4413 (TDD 536-4414).