



State of Utah Natural Resource Damage Trustee Southwest Jordan Valley Groundwater Cleanup

Actions on Behalf of Public

March 2006

The State of Utah filed a Natural Resource Damage (NRD) Claim under the Comprehensive Environmental Response, Compensation, and Liability Act. The action was taken to recover damages to the ground water in the Southwest Jordan Valley from historic and current mining operations on property owned by Kennecott Utah Copper. A settlement agreement was reached between three parties: the State of Utah, Kennecott, and the Salt Lake Water Conservancy District (now the Jordan Valley Water Conservancy District - JWVCD). The NRD Consent Decree was approved and entered with the U.S. District Court on August 21, 1995.

The Consent Decree required Kennecott to pay a cash settlement and to provide a letter of credit, both to be placed in a Trust Fund. It allowed Kennecott to propose a project that would provide municipal quality drinking water to the Southwest Jordan Valley area and thereby receive a reduction of the Trust Fund, over time. The Executive Director of the Utah Department of Environmental Quality (DEQ), as the NRD Trustee, was given the responsibility to approve related plans and to release Trust Funds for the cleanup.

Because the Consent Decree required that the water be provided through a purveyor of municipal and industrial water, Kennecott entered into an agreement to work with JWVCD. Kennecott and JWVCD designed the systems for treating water to meet drinking water standards. DEQ, in coordination with the U.S. Environmental Protection Agency, approved the treatment proposal. The Bingham Canyon reverse osmosis plant is one of two plants that will provide drinking water in accordance with the Consent Decree.

Ongoing Public Involvement

Public involvement has been a key component in all stages of this project. Current steps being taken to keep the public informed and involved include:

Stakeholder Forum: This group is comprised of representatives of communities, interest groups, and agencies affected by the groundwater cleanup project and other remediation work underway by Kennecott. It serves as a forum for review and discussion of various aspects of related projects.

Selenium Standard for the Great Salt Lake: The process of treating groundwater will produce selenium-bearing concentrates which will have to be handled. One proposal by JWVCD for future management of these concentrates could impact the Great Salt Lake. Any discharges to the Lake are subject to regulation and permit. Local, state and federal agencies and stakeholders are working with the DEQ Division of Water Quality to establish a numeric selenium standard for the Great Salt Lake and to determine whether or not selenium concentrate can be discharged to the Lake.

Continued Online Access to Information DEQ posts project related information on its website at <http://www.deq.utah.gov/issues/nrd>

For More Information

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