



January 16, 2024

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By:  Date: 01/16/2024

TRANSMITTED ELECTRONICALLY

Francis McAllister
Cyprus Amax Minerals Company
333 North Central Ave,
Phoenix, AZ 85004
fmcallis@fmi.com

Re: Former Satralloy Site Project
Permit - Intermediate
Approval
401 Wetlands
Jefferson
DSW401238962D

Subject: Approval of a Director's Authorization Application to Exceed 401 WQC Thresholds of Nationwide Permit (NWP) No. 38
Former Satralloy Site Project
Corps Project No. LRP-2005-2397
Ohio EPA ID No. 238962D

Dear Francis McAllister:

On December 28, 2023, the Ohio Environmental Protection Agency (Ohio EPA) received a Director's Authorization application to exceed thresholds listed under the 401 Water Quality Certification (WQC) for Nationwide Permit (NWP) No. 38, issued on October 13, 2021. You requested to impact 0.926 acres of category 1, non-forested wetlands, 0.230 acres of category 1, forested wetlands, 0.018 acres of category 2, forested wetlands and 0.08 acres of perennial tributaries. The purpose of the project is to consolidate the onsite slag, install erosion control and surface water drainage management, revegetate the disturbed areas, and conduct Ohio EPA requested habitat enhancements located at 243 County Road 74 (Gould Road) in Jefferson County (40.310065, -80.670953).

In accordance with Part One (D)(1) of the 401 WQC certifying the NWPs, based upon the information provided in the application, Ohio EPA has determined that the impacts to water quality are minimal. An individual 401 WQC is not necessary provided all other terms and conditions of the issued 401 WQC certifying the NWPs have been met. This Director's Authorization shall remain valid and in effect as long as the provisional NWP authorization issued on December 22, 2023, is valid.

For your reference a copy of the 401 WQC for the 2022 Nationwide Permits is available online at: <https://epa.ohio.gov/static/Portals/35/401/Final-401-WQC-NWP.pdf>.

You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within 30 days after notice of the director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the director within three days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad St, 4th Floor
Columbus, Ohio 43215

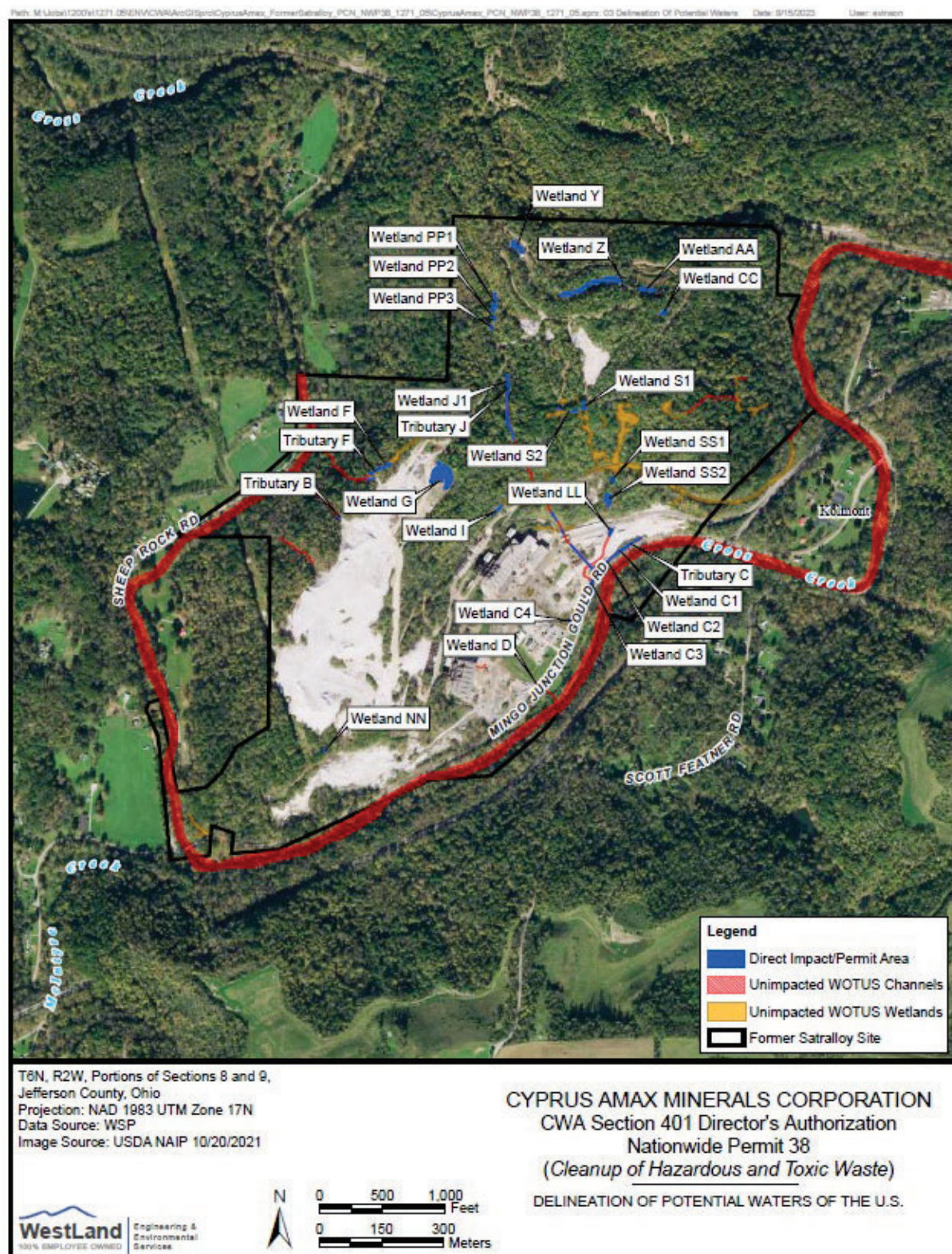
Sincerely,



Anne M. Vogel
Director

ec: Tyler Bintrim, Department of the Army, Pittsburg District, Corps of Engineers,
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Michael Engelhardt, Department of the Army, Pittsburg District, Corps of Engineers,
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Claire Phillips, WestLand Engineering & Environmental Services,
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Attachment: Project Impact Map



Ohio EPA has developed a customer service survey to get feedback from regulated entities that have contacted Ohio EPA for regulatory assistance, or worked with the Agency to obtain a permit, license or other authorization. Ohio EPA's goal is to provide our customers with the best possible customer service, and your feedback is important to us in meeting this goal. Please take a few minutes to complete this survey and share your experience with us at <http://www.surveymonkey.com/s/ohioepacustomersurvey>