



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

12/17/2012

Cyprus Amax Minerals Company
Barbara K. Nielsen
333 North Central Avenue
Phoenix, AZ 85004

Re: Approval Under Ohio EPA National Pollutant Discharge Elimination System (NPDES)
Industrial Storm Water - OHR000005 General Permit (the permit)

Dear NOI Applicant:

Your NPDES Notice of Intent application is approved for the following facility with the following conditions:

1. Cyprus Amax Minerals Company shall implement corrective actions to meet water quality standards required under Part 3 of the permit through implementation of remedial actions as required by the Consent Order for Preliminary Injunction in State of Ohio, ex rel. v. Cyprus Amax Minerals Company, et al. (Case No. 2:10 cv 981) or subsequent consent orders/decrees regarding this matter.
2. The following monitoring requirements begin in the first full month following the issuance of coverage under the general industrial storm water permit. Monitoring will be required during the duration of the permit. The following table outlines the parameters and sampling frequency. An upstream and downstream sample will be collected during sampling events. All parameters mentioned below will be obtained from the samples. Upstream samples will be collected from the center of the stream just before Cross Creek comes in contact with any outfall from the property. Downstream samples will be collected from the center of the stream just after the last contributing outfall from the property enters Cross Creek.

Parameter	Benchmark Monitoring Concentration	Frequency During Idle Periods	Frequency During Periods of Active Land Disturbance
TSS	Monitor Only	Yearly	Quarterly
pH	Monitor Only	Yearly	Quarterly
Hexavalent Chromium	Monitor Only	Yearly	Quarterly
Total Chromium	Monitor Only	Yearly	Quarterly
Total Dissolved Solids	Monitor Only	Yearly	Quarterly

Measurable Storm Events

All required monitoring shall be performed on a storm event that results in an actual discharge from the site ("measurable storm event") that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring shall be performed at a time when a measurable discharge occurs at the site. For each monitoring event, except snowmelt monitoring, the date and duration (in hours) of the rainfall

event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event shall be identified. For snowmelt monitoring, the date of the sampling event shall be identified.

Sample Type

A minimum of one grab sample at each monitoring point will be collected resulting from a measurable storm event as described above. Samples shall be collected within the first 30 minutes of a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample shall be collected as soon as practicable after the first 30 minutes and documentation shall be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples shall be taken during a period with a measurable discharge.

Adverse Weather

Adverse weather does not exempt you from having to file a monitoring report in accordance with your sampling schedule. Any failure to obtain data within the yearly or quarterly timeframe mentioned above must be reported in writing to Aaron Wolfe at the Southeast District Office of Ohio EPA.

Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, a substitute sample will be obtained during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter shall be included with your SWPPP records. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as drought or extended frozen conditions.

Submitting Reports

Laboratory reports or failure to sample reports must be submitted to Ohio EPA no later than 7 days after lab results are received or, if a sample was not obtained, no more than 7 days after the sampling period is over. Your report shall include the following:

- NPDES permit tracking number;
- Facility name, physical address and location;
- Name of receiving water;
- Monitoring data from this event;
- An appropriate contact name and phone number.

Submit reports to:

Aaron Wolfe
Storm Water Coordinator
Southeast District Office Ohio EPA
2195 Front Street
Logan, Ohio 43138

Cyprus Amax Minerals Company, Inc.

0GR00401*EG

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Please use your Ohio EPA Facility Permit Number in all future correspondence.

Facility Name: Cyprus Amax Minerals Company, Inc.

Facility Location: 4243 County Road 74

City/Twp: Mingo Junction

County: Jefferson

Ohio EPA Facility Permit: 0GR00401*EG

U.S. EPA:

Effective Date: 1/1/2013

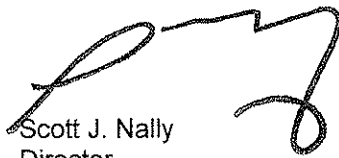
A copy of the permit may be viewed or downloaded from the following web address:

<http://www.epa.ohio.gov/dsw/permits/gpfact.aspx>

If you cannot access the permit online, contact Ohio EPA at 614-644-2001, and a copy will be mailed to the address you provide.

Please read and review the permit carefully. The permit contains requirements and prohibitions with which you must comply. Coverage under this permit will remain in effect until a renewal of the permit is issued by the Ohio EPA. If you have questions call 614-644-2001.

Sincerely

A handwritten signature in black ink, appearing to read 'Scott J. Nally', with a stylized flourish at the end.

Scott J. Nally
Director

cc: File
A. Wolfe