Regulatory Overview and PCC Responsibilities

Randy Jones, DOGAMI
Larry Knudsen, DEQ
What is an Oregon Consolidated Mining Permit?

- Required for metal mines using chemical processing
  - Does not regulate conventional placer mines
- Single application for all required Oregon state permits
- Mechanisms for coordinating permitting requirements
  - Avoid inconsistent requirements/processes
- Strict timelines for permit issuance
- Robust public notice and environmental review provisions
Why a special process for permitting these metal mines?

- History of operational and reclamation failures involving metal mines
  - Particularly mines using chemical processing, such as cyanide heap leaching
- From late 1980’s to mid-1990’s legislative/ballot measure fights
- No significant activity between 1995 and current application
  - Newmont Mining abandoned plans for an open pit/cyanide heap leach mine at Grassy Mountain in 1995
  - The current *Notice of Intent* was filed by Calico in 2017
    - Earlier versions starting in 2012
Calico Grassy Mountain
Oregon Chemical Process Mine Consolidated Permitting Organizational Chart
Calico Resources USA Corp – Grassy Mountain

OREGON DEPT OF JUSTICE
Advises on the process
Jesse Ratcliff

OREGON DEPT OF GEOLOGY & MINERAL INDUSTRIES
Oversees coordination of the process
Randy Jones
Bob Brinkmann

PROJECT CONSULTANTS
Cardno – Adam Bonin
Barney & Worth – Libby Barg / Janet Gillaspie

PROJECT COORDINATING COMMITTEE (PCC)
Coordinates county, state, and federal permitting requirements to avoid contradiction and duplication
Oregon Dept of Geology & Mineral Industries (DOGAMI)
O*NET Dept of Environmental Quality (DEQ)
Oregon Water Resources Dept (WRD)
Oregon Dept of State Lands (DSL)
Oregon Dept of Fish & Wildlife (ODFW)
Oregon Dept of Agriculture (ODA)
Oregon State Historic Preservation Office (SHPO)
Oregon Dept of Land & Conservation Development (DLCD)
City of Vale • Malheur County • City of Nyssa
United States Bureau of Land Management (BLM)
United States Environmental Protection Agency (EPA)
United States Mine Safety & Health Administration (MSHA)
United States Fish & Wildlife Service (USFWS)
Tribal Nations – Burns Paiute Tribe
Regional Solutions (Eastern Oregon)

TECHNICAL REVIEW TEAM (TRT)
Establishes guidelines and coordinates with applicant in use of baseline data collection methodologies; determines compliance of proposed mining operation with requirements
DOGAMI
DEQ*
WRD
DSL
ODFW
ODA
SHPO
DLCD
BLM

*Includes Water Quality (WQ), Air Quality (AQ), Solid Waste (SW) and Laboratory (LAB) Programs
Key Roles

• DOGAMI – Facilitating Agency

Project Coordinating Committee (PCC)
- Share information
- Exchange ideas
- Coordinate permitting requirements
  - Local/State/Federal/Tribal
- Avoid contradictory requirements and duplication of effort

Technical Review Team (TRT)
- Resolves conflicts in permit conditions
- Establishes baseline data methodologies; reviews baseline data
- Consults on data needed for other permits
- Determines Consolidated Application completeness
- Determines ‘best, available, practicable and necessary technology’
Key Steps in the Consolidated Permit Process

1. Pre-Application Process
2. Application Process
3. Permit Development
Key Steps in the Consolidated Permit Process

• **Pre-Application Process**
  
  ▪ **Notice of Intent** to file an application
  
  ▪ **Baseline Data Collection**
    • TRT approves baseline data collection methodologies
    • Applicant collects baseline data
    • TRT verifies data collected as required by methodologies
  
  ▪ **Permit Requirements** identified along with any additional information needed
  
  ▪ Local Land Use approval
Key Steps in the Consolidated Permit Process

- Application Process
  - Consolidated Application submitted
  - Completeness Determination
    - 90-day clock
  - Notice to Proceed issued when applications are complete
Key Steps in the Consolidated Permit Process

• Permit Development

- **Environmental Evaluation**
  - Foreseeable Impact analysis
  - Cumulative Impacts analysis
  - Alternatives Analysis

- **Socioeconomic Impact Analysis**
  - Environmental Justice Review

- **Draft permits** issued
- Public review and comment on draft permit
- **Final Permits** issued
Permitting Status

- **Notice of Intent**
  - Filed February 2017

- Baseline data methodologies approved
  - Filed September 2017; approved December 2017
  - Baseline data collection underway

- Calico indicates a **Consolidated Application** is anticipated in 4Q18
Consolidated Application

- General Information
- Baseline Data
- Operating Plan
  - Variety of additional requirements
- Reclamation and Closure Plan
  - Closure cost estimate
  - Monitoring
- Alternatives Analysis
Consolidated Application (continued)

Additional permit applications for **Permitting Agencies:**
- DOGAMI
- DEQ
- WRD
- DSL (possibly)
- Oregon Health Authority (possibly)

Cooperating Agencies include requirements in DOGAMI Operating Permit:
- ODFW
- SHPO
- ODA
Application Process

- Applicant files *Consolidated Application*
  - DOGAMI transmits to TRT
  - DOGAMI publishes public notice
  - Permitting and Cooperating agencies determine whether additional permitting information is needed
  - DOGAMI holds public hearing and takes public comment on whether application is complete and sufficient for permitting
  - DOGAMI prepares response to comments

- DOGAMI and agencies determine that application is complete and issue *Notice to Proceed* (start of *Application Phase*)

  ~ or ~

- DOGAMI and agencies determine that additional information is required
- All within 90 days
County Land Use Approval

Malheur County land use permit issuance is necessary for *Consolidated Application* to be complete:

- Land Use Compatibility Statement
- Greater Sage-Grouse Plan
- Findings
Role of Federal Agencies

Statute and Rules encourage the coordination of state and federal permitting processes, including, but not limited to, the State’s *Environmental Evaluation* (EE) and the federal BLM’s *Environmental Impact Statement* (EIS).

Examples include:
1) enable/enhance EE and EIS contractor communications;
2) information and data sharing; and
3) joint bonding
Questions?

More information posted on the DOGAMI web site at: http://www.oregongeology.org/mlrr/chemicalprocess_Calico-GrassyMtn.htm

To receive routine information on the project:

- e-mail Calico.File@oregon.gov with your contact information
  - Insert “*Grassy Mt list*” in *re:* line
Thank you!

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