



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAY 11 2010

REPLY TO THE ATTENTION OF:  
WU-16J

Victoria Peacey  
HSE Manager  
Kennecott Eagle Minerals Company  
504 Spruce Street  
Ishpeming, Michigan 49849

**Re: Proposed Class V Injection Wells for Mine Backfill; Located in Marquette County, Michigan; U.S. EPA Underground Injection Control Well Identification Numbers MI-103-5X13-0001 and MI-103-5X13-0002: Revised**

Dear Ms. Peacey:

Thank you for providing the Underground Discharge System (Class V) Inventory submittal dated March 19, 2010. We have reviewed the submittal and based upon this information, the proposed boreholes for the delivery of materials for mine backfill at the location referenced above are authorized by rule.

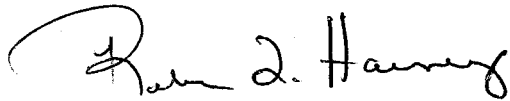
The intent of the Underground Injection Control (UIC) program is to prevent contamination of underground sources of drinking water from fluids injected through underground injection wells, such as the proposed Class V wells at the above-mentioned site. It is the responsibility of the Class V well owner/operator to construct, operate, maintain and finally plug and abandon wells in such a way as to prevent the movement of any contaminant into underground sources of drinking water if the presence of that contaminant may cause a violation of any primary drinking water regulation or may otherwise adversely affect the health of persons. It is our understanding that the chute for dry cement will be steel-lined along its entire length and the chute for dry aggregate will be concrete-lined through the glacial aquifer. The dry aggregate will flow directly into the aggregate hopper at the underground Cemented Rockfill Plant. You will need to notify this office if information in the submittal changes, such as ownership of the facility, operating status, construction, or nature of the materials entering the Class V wells. In any such notification, please include the above U.S. EPA UIC Well Identification Numbers. UIC program approval to proceed with the proposed wells does not authorize any infringement of state or local law or other federal regulations.

This letter is intended solely to acknowledge submittal of inventory information as required in Title 40 of the Code of Federal Regulations (40 CFR) Sections 144.26 and 144.83. We reserve the right to visit this location and/or require other information under 40 CFR Sections 144.27 and 144.83 to ensure that the injection activity does not

contaminate an underground source of drinking water. The Class V well owner/operator may still be held liable for such endangerment under provisions in the Safe Drinking Water Act. We may also require you to close your well or obtain a UIC permit in order to protect underground sources of drinking water according to 40 CFR Sections 144.25 and 144.82.

If you have any questions regarding this matter, please feel free to contact Ross Micham of my staff at (312) 886-4237, or by email at [micham.ross@epa.gov](mailto:micham.ross@epa.gov).

Sincerely yours,

A handwritten signature in black ink, appearing to read "Rebecca L. Harvey". The signature is fluid and cursive, with a large initial "R" and "H".

Rebecca L. Harvey, Chief  
Underground Injection Control Branch