



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

NOTICE OF FINAL PERMIT DECISION
Issuance of the Class III In-Situ Production of Copper Permit No. R9UIC-AZ3-FY16-1
For the Gunnison Copper Project
June 22, 2018

In accordance with the requirements of the Code of Federal Regulations (CFR), Title 40, §124.15, the United States Environmental Protection Agency, Region 9 (EPA) is issuing a Class III Underground Injection Control (UIC) Area Permit, No. R9UIC-AZ3-FY16-1, to Excelsior Mining Arizona, Inc. for the Gunnison Copper Project. EPA is also issuing the response to comments, pursuant to 40 CFR §124.17. The response to comments specifies the provisions of the draft permit that have changed in the final permit decision and responds to all significant comments received by EPA during the public comment period or during the public hearing. The final UIC permit, EPA's Response to Comments document, the public hearing transcript, and a copy of this notice are available on EPA's web page at <https://www.epa.gov/uic/uic-permits-pacific-southwest-region-9>.

EPA gave public notice of the draft UIC permit on October 25, 2017 and notice of a public hearing on January 24, 2018. EPA held the public hearing in Dragoon, Arizona on February 27, 2018. The public comment period ended on February 27, 2018. The final permit decision will be effective on August 1, 2018 in accordance with 40 CFR §124.15(b)(1), unless review is requested on the permit under the appeal process at 40 CFR §124.19.

Any person who filed comment on the draft permit or participated in the public hearing may petition the Environmental Appeals Board (EAB) to review any condition of the permit decision under 40 CFR §124.19(a) within 30 days after service of this notice of EPA's final permit decision. See 40 CFR §124.19 for the procedural requirements of the appeal process. You may file documents with the EAB electronically, by mail, in person, and in limited circumstance, by facsimile. Information and instructions on how to file your documents electronically are available in the "Electronic Filing" section on the EAB Website. Please see instructions at www.epa.gov/eab.

By mail, requests for administrative review must be addressed to the following:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

Please send a copy of the request to the following:

Attn: Rich Campbell
U.S. EPA Region IX, (ORC-2)
75 Hawthorne Street
San Francisco, CA 94105

As noted above, this final permit decision will become effective on August 1, 2018 unless a review is requested under 40 CFR § 124.19.