

Permit No.: **ID0027022**

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

**Authorization to Discharge under the
National Pollutant Discharge Elimination System**

In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4, the "Act",

Meridian Beartrack Company
Beartrack Mine
P.O. Box 749
Salmon, Idaho 83467

is authorized to discharge from the **Beartrack Mine** near the historic town of Leesburg, Idaho, at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	Napias Creek	N 45°12'20"	W 114°08'00"

in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective **December 1, 2003**.

This permit and the authorization to discharge shall expire at midnight, **October 31, 2008**.

The permittee shall reapply for a permit reissuance on or before **April 30, 2008**, 180 days before the expiration of this permit if the permittee intends to continue operations and discharges at the facility beyond the term of this permit.

Signed this **31st** day of **October, 2003**.

/s/ Randall F. Smith
Randall F. Smith, Director
Office of Water, Region 10
U.S. Environmental Protection Agency

This permit modification shall become effective on October 30, 2006.

Signed this 30th day of October, 2006.

/s/ Michael F. Gearheard
Michael F. Gearheard, Director
Office of Water and Watersheds

C. Compliance Schedule for Outfall 001 Effluent Limitations

1. By October 31, 2008, the permittee must achieve compliance with the effluent limitations for ammonia, arsenic, cadmium, copper, WAD cyanide, iron, mercury, pH, selenium, silver and zinc in section I.B for Outfall 001 (Table 1). Until compliance with the effluent limits is achieved, at a minimum, the permittee must:
 - a. complete the tasks required in Table 2;

Table 2: Tasks Required Under the Compliance Schedule	
Completion Date	Task
December 31, 2006	The permittee shall submit to the Department a finalized report outlining potential treatment technologies to meet the final effluent limits. This report shall include treatment type, technical review and reporting any bench scale investigations used to determine applicability of a technology.
June 30, 2007	The permittee shall submit to the Department final model estimations for water balance from the HEAP Leach and surrounding areas as well as a formal plan to address the effluent from the site.
September 30, 2007	The permittee shall submit to the Department all potential sites suitable for land application, if that water treatment technology is examined. This includes wetland determinations, slope and soils mapping.
October 31, 2008	Comply with final effluent limits.

- b. report completion of tasks on the DMR for the month in which the task is due (e.g., if a task is due in March, then report on the March DMR that the task has been completed);
 - c. submit an annual report of progress to EPA and IDEQ that outlines the progress made towards achieving compliance by April 1st of each year, which includes the following:
 - (1) an assessment of the previous year's data and comparison to the final effluent limitations,
 - (2) a report on the progress made toward meeting the final effluent limitations, and
 - (3) further actions and milestones targeted for the upcoming year.
 - d. limit discharges from Outfall 001 as specified in Table 3 at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit; and

- a. The permittee must collect fish at the Napias Creek station WQ-22 located upstream of Outfall 001 and 160 meters downstream of Outfall 001.
- b. The annual bioaccumulation study must be conducted after seasonal high flow conditions have receded but before annual low flows (i.e., July or August).
- c. The permittee must obtain collection permits from the Idaho Department of Fish and Game (IDFG) for collection of fish. If the permittee's request is denied by IDFG due to potential concerns for the protection of species under ESA, the permittee must coordinate with IDFG to develop alternative methods to acquire information germane to the protection of resident species from mercury accumulation and submit them to IDEQ.
- d. The permittee must coordinate with IDEQ and IDFG to determine the test species.
- e. The permittee must submit the results of the bioaccumulation study to the Director, IDEQ and the USFWS by April 1st each year. The report must include the trend analysis and impact analysis. The report must also include a comparison of the fish tissue sampling data with Idaho standards, consistent with the guidance outlined in Idaho water quality standards (58.01.02.210.03.c.iv).
- f. The permittee must conduct a trends analysis as follows:
 - (1) Collect four replicate samples at each of the sample sites.
 - (2) Compare fish tissue levels with MDL of 0.04 mg/kg of mercury accumulation.
 - (3) Contact IDEQ within 10 days if the downstream fish tissue concentrations indicate a statistically significant increase in mercury concentrations. Conduct follow-up set of verification samples as directed by IDEQ.
- g. The permittee must conduct an impact analysis as follows:
 - (1) Compare fish tissue levels with concentration of 0.3 mg/kg of mercury.