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September 23, 2026

Diane Cutler
Department of Environmental Quality
1410 N. Hilton St.
Boise, ID 83706
Diane.Cutler@deq.idaho.gov

Subject: Cyanidation Rule Public Comment: Docket No. 58-0113-2502. Comments on Notice of Proposed Rule

Ms. Cutler,

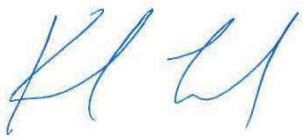
Thank you for the opportunity to comment on the negotiated rule making for the cyanidation rules in IDAPA Docket 58-0113-2502. Perpetua Resources' suggested revision is provided below.

200.03 – Suggested wording is to delete the added text at the beginning of the section and begin with "Ponds, tailings impoundments, or ditches must be designed to maintain a minimum two (2) foot freeboard during storage or conveyance of the design climatic events plus the maximum expected normal operating volume." The new wording at the beginning adds confusion suggesting tanks and vats should be sized to account for freeboard and stormwater run-on. The rule title and the content added later address the suggested deleted wording.

If you have any questions, please do not hesitate to reach out to me at Kyle.Fend@perpetua.us.

Sincerely,

Perpetua Resources



Kyle Fend
Vice President, Environment, Health and Safety