

From: Stephen Cohen
To: Oscar Bresnan
Date: 5/2/06 1:31PM
Subject: Re: Tailings Impoundment Liner
Kennecott- Sweetwater- Docket 40-8584
Oscar:

There are no specific conditions in your current license that specify freeboard or distance above the solution surface. License Condition 9.5 specifies submittals that must be complied with when conducting milling operations. If one of those submittals specifies such a distance or freeboard, then that is the answer. I looked through the 1994 and 2004 license amendment applications, but I didn't see any specific number. If you find something, please let me know.

Steve

>>> "Oscar Paulson - Bresnan" <oscar.paulson@bresnan.net> 04/27/06 1:35 AM >>>
Stephen Cohen:

George Palochak and I reviewed the previous license (the one prior to the Performance Based License) regarding the tailings impoundment. The pre-Performance Based License stated in License condition 10.7:

The tailings cell liner shall be maintained in an operable condition within 5 feet of the solution surface.

The old license does not use the term "freeboard". When the new Performance Based License was being created, it was agreed that certain conditions in the pre-existing license would be incorporated in to a Standard Operating Procedure (SOP) called Tailings Operating Procedure (TOP) - 1. This language was among several items (including the prohibition against adding more than 25 million gallons per year of pumpback fluid in to the impoundment) included in this Standard Operating Procedure (SOP).

In addition, when the tailings are regraded and the new evaporation ponds constructed, there will be a ten (10) foot wide road of tailings between the fluid in the new pond and the tailings impoundment embankment. This will effectively keep the solution surface ten (10) feet away from the repaired liner.

Given this situation, it would appear that maintaining a five (5) foot slope distance of liner above the top of the road between the new lagoon and the existing embankment should be adequate. Do you agree?

Oscar Paulson
Facility Supervisor

CC: Betty Garrett; Robert Lukes

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