

## Appendix E.H

### Response to Comments on Draft EIS Applicant Comments





May 13, 2003

Hanh Gold  
NEPA Compliance Coordinator  
U.S. Environmental Protection Agency  
1200 Sixth Avenue, OW-130  
Seattle, WA 98101

Re: **Comments on Pogo DEIS**

Dear Ms. Gold:

This document provides Teck-Pogo Inc.'s (Teck-Pogo) comments on the Draft Environmental Impact Statement (DEIS) for the Pogo Gold Mine Project. In general, Teck-Pogo finds the document to be a credible description of the project and its potential effects. Teck-Pogo acknowledges the considerable effort put forth by the agencies and the EIS team to evaluate the project data and appreciates the opportunity to respond to questions and provide input to the analysis.

**Support for Preferred Alternative and Alternative Management Option**

Teck-Pogo encourages adoption of the preferred alternative for all options identified in Tables 5.3-1, 5.3-2, and 5.3-3 of the DEIS with the exception of the Surface Access Use option of Table 5.3-3. Regarding surface access use of the Shaw Creek Hillside all-season road, Teck-Pogo supports adoption of the more detailed alternative developed in the DNR draft decision called the Alternative Management Option, as summarized in Attachment 7 of Appendix D.3 of the DEIS.

The company originally proposed an industrial all-season road to access the project. The company also proposed to reclaim the entire road at the end of the mine. In the DEIS, this approach was selected as the environmentally preferred alternative by the agencies. For the reasons set forth in the document, however, the agency preferred alternative was to open the portion of the road adjacent to the State Forest to the public and to leave it intact at the end of the mine life.

Teck-Pogo strongly opposes opening any portion of the road to the public during the project life, as doing so would present unacceptable safety and liability risks to the company.

The Alternative Management Option strikes a reasonable balance by allowing the project to proceed while maximizing public safety, minimizing project liability risks, and minimizing potential short-term environmental effects. Selection of the Alternative Management Option is an appropriate compromise between the environmentally preferred alternative and the agency preferred alternative and is the access use strategy that should be adopted by the agencies.

Teck-Pogo Inc.

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H1-1

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**Support for an efficient EIS and Permitting Timeline**

Effective use of the winter road will be critical to the successful launch of the Pogo project. Teck-Pogo is concerned about the potential cost and schedule implications that further delay will have on the project and would offer to work with the agencies to develop a schedule for the remaining EIS and permitting tasks that will allow effective use of the winter road this winter.

Sincerely,

Karl Hanneman  
Alaska Regional Manger  
Teck-Pogo Inc.

Cc: Ed Fogels

Bill Riley

Hanh Gold

Victor Ross

H1-2

**COMMENT RESPONSE:**

- H1-1 This issue will be addressed in ADNR's final decision for issuance of the ROW which will occur after publication of this FEIS.
- H1-2 The agencies will work with the Applicant to minimize delay and develop a realistic schedule.

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May 13, 2003

Ed Fogels  
Alaska Department of Natural Resources  
550 West 7<sup>th</sup> Avenue, Suite 900D  
Anchorage, AK 99501-3577

RE: Teck-Pogo Inc. comments on draft Pogo Project Right-of-Way ADL 416809

Dear Mr. Fogels:

Teck-Pogo Inc. (Teck-Pogo) is pleased to submit the following comments on the March 14, 2003 public review draft of the Pogo Project Right-of-Way Proposed Decision, ADL 416809, as published in Appendix D.3 of the draft Environmental Impact Statement for the Pogo Project.

General Comments

Teck-Pogo recommends that DNR adopt the Alternative Management Option as identified in Attachment 7 of Appendix D.3. Teck-Pogo believes that this option will result in greater benefits to the State as follows:

- increased safety for public
- reduced short term impacts to subsistence, trapping, and commercial recreation
- reduced short term impacts to wetlands from ORV use
- increased revenue to the State from right-of-way fees
- increased revenue to the State from material sales
- increased revenue to the State from timber sale receipts
- reduced traffic on existing Shaw Creek road
- no change to existing public access to region

The benefits to the project come from increased safety for employees and contractors and reduced liability associated with managing public on a road designed for industrial use.

Teck-Pogo understands that DNR will use public comments to help determine the preferred location for the staging area. If DNR determines that these public comments encourage the sub-option which is adjacent to the Richardson Highway, it will likely be because of the reduction in traffic volumes on the existing Shaw Creek Road. Teck-Pogo does not believe it would be reasonable to require this mitigative measure to reduce traffic volume (moving the staging area to the Richardson) while at the same time leaving the Shaw Creek Hillside route open to the public and thereby encouraging more traffic volume on the existing Shaw Creek Road.

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H2

H2-1

H2-2

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Specific Comments on Attachment 6. Pogo Project Road Right-of-Way Special Stipulations

2. Indemnification  
This indemnification is over-broad. Teck-Pogo will propose language more specific and more appropriate for the project.
5. Performance Guaranty  
Teck-Pogo will work with DNR to provide a form of financial assurance that is both cost efficient for the company and acceptable to the Division.
6. Insurance  
Teck-Pogo has not reviewed the insurance requirements of the Millsite Lease.
8. Alaska Historic Preservation Act  
Teck-Pogo believes that it would be appropriate to refer to the approved PA for the project.
9. Termination  
Teck-Pogo does not believe this provision is reasonable and would ask for further clarification as to the rationale.
12. Survey  
Teck-Pogo suggests that reasonable survey standards be established in advance.
16. Violations  
Teck-Pogo intends to comply with all applicable laws, statutes and regulations. However, having an inadvertent failure to comply potentially result in revocation of the ROW places unreasonable financial exposure on the company and is unacceptable.
18. Term  
It is not certain the road construction and the as-built survey will both be completed within one year. Teck-Pogo recommends that the early entry authorization term be 18 months.
23. Forest Resources  
Teck-Pogo is concerned that it will be held to a higher standard of forest resource management than the DOF timber harvest activities in the region. Teck-Pogo believes timber salvage should be focused only on marketable timber, regardless of species. In commercial stands of white spruce, 9"DBH, topped at 6", should be the criteria. Tops and slash should be managed in similar fashion to the DOF timber harvest activities in the region.
27. Fuel and Hazardous Substances  
During discussions following the Access Alternatives working group beginning in May, 2000, the State specifically discussed and approved in concept that the use of double walled fuel tanks, if the fill and dispensing features were of the approved design, would be acceptable

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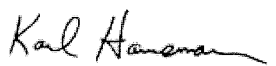
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secondary containment for the highly mobile needs of road construction on the Shaw Creek Hillside route. This provision should be included here as the rule, rather than an exception.

Teck-Pogo would also like to work with the State to develop reasonable language regarding fuel transfers. While having appropriate response equipment on hand is necessary, additional discussion is necessary to develop a reasonable approach to secondary containment or surface liners for all of the various vehicles involved in road construction.

Thank you for the opportunity to comment.

Sincerely,



Karl Hanneman  
Alaska Regional Manger  
Teck-Pogo Inc.

Cc: Hanh Gold  
Bill Riley

H2-3

**COMMENT RESPONSE:**

H2-1 Thank you for your comment. This issue will be addressed in ADNR's final decision for issuance of the ROW which will occur after publication of this FEIS.

H2-2 Thank you for your comment. This issue will be addressed in ADNR's final decision for issuance of the competitive land lease which will occur after publication of this FEIS.

H2-3 Thank you for your comments. ADNR will consider these comments and work with the Applicant to resolve issues leading to ADNR's final decision for issuance of the ROW which will occur after publication of this FEIS.

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H3

May 13, 2003

Office of Water Director  
U.S. EPA Region 10  
1200 Sixth Avenue  
OW-130  
Seattle, WA 98101

Re: Teck-Pogo comments on Pogo draft NPDES permit AK-005334-1

Dear Sir:

Teck-Pogo Inc. appreciates the opportunity to submit the following comments on the March 14, 2003 public review draft of NPDES permit AK-005334-1 and the accompanying March 14, 2003 Fact Sheet, both of which were published in Appendix B of the draft Environmental Impact Statement for the Pogo Project.

**DRAFT PERMIT**

**I.A. Effluent Limitations and Monitoring – Outfall 001**

*I.A.1. Table 1*

**Chromium.** The chromium sampling protocol is problematic as Teck-Pogo will not be able to routinely achieve the 24 hour holding time for chromium VI. Due to the holding time limitation, one cannot take a routine chromium total sample, have it analyzed, and then assess whether the chromium VI analysis must be completed. Each chromium sample taken has to be collected and handled as if it is will be analyzed for chromium VI. Even if it is conceivable that one could achieve the holding time, it would only be possible by arranging for special air transport of the sample from site, coordinating with an express parcel service in Fairbanks such as Alaska Airlines Goldstreak, and then hope that it could get to a lab and be processed in a timely fashion. It is not reasonable to expect such a process to be completed, especially since the holding time limitation would not likely be met even then. A weekly requirement is unreasonable given the lack of significant risk associated with chromium.

H3-1

Chromium is not expected to be a parameter of significant concern. Baseline sampling in the Goodpaster River showed a maximum total chromium value of 5 ug/L, with an average of 0.9 ug/L. Water quality during the Pogo WTP Softening Trial (Appendix A of Pogo June 2002 WMP Supplement) showed no detectable total or dissolved chromium in mine water, plant feed, or plant effluent. The conservative model used for water quality predictions provides a 95% annual maximum dissolved value of 13.1 ug/L. Therefore Teck-Pogo recommends that the requirement to sample chromium, both total and VI, be eliminated. In the alternative, chromium total could remain as part of the routine sampling, with the chromium VI requirement done quarterly (with the results likely qualified for exceedance of holding time).

H3-2

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**Sample Frequency.** The requirement for weekly effluent sampling is excessive in the long term. Teck-Pogo recommends that the following footnote should be added to Table 1:

H3-3

“After consultation with EPA and ADEC, the sampling frequency shall decrease to monthly if, after 2 years, this discharge has been in compliance for 6 consecutive months.”

**Total recoverable vs. dissolved.** Teck-Pogo Inc. is concerned that the requirement in the permit to analyze for and report metals as total recoverable instead of dissolved is not consistent with what had been discussed between the agencies and was not what was expected by the permittee or by DEC. The objective of working with DEC and EPA on adoption of the proposed standards was to move the project in the direction of better science and to provide for the use of the dissolved criteria. Teck-Pogo views this issue as the most substantive issue in the draft that must be resolved. Teck-Pogo would recommend that Footnote 1 in Table 1 and Table 2 should apply only to the column with current standards, and that a new footnote be added to the final permit if/when the proposed standards are adopted as follows:

H3-4

“These parameters shall be collected and analyzed as dissolved, then converted by the appropriate translator and reported as total recoverable.”

**Footnote 3.** For clarity, recommend deletion of the phrase “Reporting is required within 24 hours of a maximum daily limit violation” and leave the reference to Permit III.G., which states that “The permittee must report the following occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances.” This more detailed language is more appropriate and a reference to Permit III.G in the footnote would be adequate.

H3-5

*A new provision should be added after I.A.4.*

Baseline sampling indicates that the natural condition of the Goodpaster River may exceed the criteria for some parameters some of the time. Teck-Pogo must not be exposed to “exceedances” that are beyond its control. Therefore, a new provision should be added after I.A.4. as follows:

“If the actual natural condition of a sample taken from the Goodpaster River concurrent (within an hour) with an effluent sample from Outfall 001 is of lower quality than the water quality criterion set out in 18 AAC 70.020(b) for a parameter listed in Table 1, the natural condition constitutes the applicable water quality criterion and the natural condition constitutes the Table 1 effluent limitation only for that effluent sample. The permittee is not required to take a natural condition sample except for turbidity, but may do so as an affirmative defense of an Outfall 001 exceedance.”

H3-6

*I.A.6.*

Teck-Pogo recommends that this provision be deleted. The outfall flow from Pond 2 will be by gravity and will be controllable only to the extent of being either fully open or fully closed. Under normal circumstances, flow through the system will be controlled by monitoring flow in the water treatment plant effluent, then controlling the pump between Pond 1 and Pond 2 to obtain the 25:1 ratio. However, as described on Page 4-45 and 4-46 of the DEIS, in the event of

H3-7

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a water treatment plant upset and possible shutdown, the system has the capability of providing residence time in Pond 2 and continued pumping and additional dilution even if there was no flow from the water treatment plant. The EIS did not contemplate directly linking outfall flow to water treatment plant flow, as this would prevent using the protective features of the system. The continuous flow limitation of the entire system (Table 1), together with the flow limitation from the water treatment plant (Table 2), is sufficient.

H3-7  
Cont'd.

**I.B. Effluent Limitations and Monitoring – Outfall 011**

*I.B.1. Table 2*

The technology based effluent limitations at 40 CFR 440.104(a) do not include iron. Therefore, the effluent limitation for iron should be removed from Table 2. Due to the use of iron in the ferric co-precipitation plant, Teck-Pogo would consider it appropriate for iron to remain in the parameters list in Table 2 for monitoring in order to assess the characteristics of the waste stream. It should be noted that some iron removal is expected in Pond 2 of the off-river treatment works and the impact of iron on the environment is expected to be low (page 4-45 of DEIS).

H3-8

**I.C. Effluent Limitations and Monitoring – Outfall 002**

*I.C.1. Table 3*

**Sample frequency.** The weekly sampling frequency is atypical for domestic waste treatment facilities in Alaska. Two years is an excessive amount of time to prove successful commissioning of the treatment facility. Teck-Pogo recommends that weekly sampling be required for 6 months, followed by monthly sampling for an additional 6 months, after which sampling frequency may be reduced to quarterly in accordance with a revised Footnote 3.

H3-9

**Fecal coliform.** The fecal coliform sample frequency is excessive given the critical 6 hour hold time. This EPA requirement is much more stringent than the 30 hour fecal coliform holding time that is typical in many remote treatment plants operating in the State of Alaska under State permits. The plant operating performance will be controlled by the TSS and the more frequent TSS samples will be able to demonstrate plant performance. Only periodic fecal coliform sampling is necessary to develop a reasonable correlation with TSS and plant performance. The fecal sample frequency should start off at monthly, with reduction to quarterly in accordance with a revised Footnote 3.

H3-10

*I.C.5*

This provision should specify whether the compliance level is to be a daily maximum, a 7-day average, or a 30-day average.

H3-11

**I.D. Whole Effluent Toxicity Testing Requirements**

*I.D.1.*

In order to conform to the sample split requirements of this provision and the sampling requirements of provision I.D.2.a, the first sentence of this provision should provide additional clarity by stating:

H3-12

“Toxicity testing must be conducted on a single grab sample of effluent.”

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*I.D.2.a.*

Annual testing should be completed early enough each year to allow follow-up accelerated testing to occur if necessary. Therefore Teck-Pogo recommends that the first sentence of this provision be modified as follows:

“For Outfall 001, chronic tests must be conducted once per year prior to August.”

*I.D.2.b*

The results should be reported for both species and each endpoint during the screening period. After the screening period, results shall be reported only for the most sensitive species and endpoint determined during the screening period. If no toxicity is observed in either species during the screening period, monitoring shall continue with the fathead minnow on the rationale that it most closely represents the salmonids of concern in the Goodpaster River, as well as the fact that the fathead minnow was the species with a minor toxicity effect observed from ambient water from Liese Creek during baseline work.

*I.D.4.*

Teck-Pogo believes that this provision should refer to paragraphs I.D.6.and I.D.7 rather than I.B.6. and I.B.7.

*I.D.5.c.iii.*

Baseline work indicates some minor toxicity of uncertain persistence. In order to reduce the potential for artifactual, receiving water caused WET test failures, Teck-Pogo recommends the use of laboratory synthetic dilution water in WET testing rather than use of receiving waters for dilution.

H3-12  
Cont'd.

*I.D.6.c.*

The permit states that exceedance of the 2 TU target results in the initiation of accelerated testing to consist of four additional tests conducted every two weeks. Failure of any one of these accelerated tests results in the required initiation of a toxicity reduction evaluation (TRE). This requirement is not reasonable for the reasons noted below.

Integral to completion of a TRE are activities to identify the toxin(s) in question, generally accomplished through use of a toxicity identification evaluation (TIE). The successful completion of a TIE, and hence a TRE, requires the presence of consistent and persistent toxicity. It is very difficult, if not impossible, to successfully complete a TIE on an effluent that only exhibits sporadic toxicity since toxicity must be present during the TIE activities. Further, it is impossible to “reduce toxicity” when it is not present.

As such, any WET test that exceeds the trigger should first lead to the initiation of efforts to establish a “pattern of toxicity” - i.e., the presence of consistent and persistent toxicity. Simply failing one of four accelerated tests, especially at the thresholds contemplated, does not confirm the presence of consistent and persistent toxicity that may be actually identified and/or reduced during the TIE/TRE studies. Therefore Teck-Pogo recommends that the permit should recognize that a pattern of toxicity can only be reliably established by failure of two consecutive accelerated tests.

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Results of toxicity testing are to be reported as chronic toxic units (TU<sub>c</sub>) which are to be calculated as TU<sub>c</sub> = 100/No observed effect concentration (NOEC). NOEC values are generally determined with an alpha level of 0.05, meaning that statistical significance (or lack thereof) is determined with 95% confidence. This leaves a 5% chance of detecting a false positive, or a test failure when no toxicity actually exists. Over the course of many tests, the cumulative chance of a false positive rises to near certainty.

The deficiencies in NOEC can often be remedied by calculating an inhibition concentration, or 25% reduction in organism performance, (IC<sub>25</sub>) test statistic for each chronic test. The IC<sub>25</sub> metric is a point estimate that allows a measure of the magnitude of the biological impact to be calculated. As such, it can provide more information than a NOEC, which is restricted to the tested concentration series. However, there are potential problems with the current U.S. EPA methodology for determining IC<sub>25</sub> that need to be considered when interpreting the data.

Therefore given the strengths and weaknesses of each method, Teck-Pogo would recommend that the permit require both to be calculated during the accelerated testing. If effluent toxicity is real, the results of the NOEC and the IC<sub>25</sub> should be similar. Substantially different values for the NOEC and IC<sub>25</sub> metrics indicate the presence of a potential false positive "hit" for toxicity. Inclusion of both the NOEC and the IC<sub>25</sub> approaches is the only method approved by the U.S. EPA to identify false positive results. Therefore, Teck-Pogo recommends that this provision be modified to read as follows:

"If no two consecutive tests of the four accelerated tests exceed a TU<sub>c</sub> value of two, when calculated using both the NOEC and IC<sub>25</sub> approaches, the permittee may return to the normal testing frequency. If any two consecutive accelerated tests exceed a TU<sub>c</sub> value of two, when calculated using both the NOEC and IC<sub>25</sub> approaches, then the TRE requirements in Permit Part I.D.7. shall apply."

*I.D.6.d.*

The last sentence of this provision should be deleted, as the pattern of toxicity should be reliably established in accordance with I.D.6.c. before the TRE requirements would be meaningful.

*I.D.7.a*

The phrase "within two weeks of receipt of the test results that indicate that a TRE is required under I.D.6.c" should be included.

*I.D.8.a*

The results of the annual toxicity tests should be submitted with the Annual Water Quality Monitoring Summary report.

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H3-12  
CONT'D.

**I.E. Surface Water Monitoring**

*I.E.1.*

Replace "summer" with "open water conditions" and replace "winter" with "freezing conditions".

H3-13

*I.E.3.*

Teck-Pogo would suggest that a more focused parameters list is appropriate for Table 4. While the parameters in the draft table were analyzed during baseline sampling, much of the baseline data for some parameters either exhibit a pattern of near "non-detects", consistent values well below any applicable water quality standards, would not be expected to be detected at environmentally sensitive levels, or would not provide meaningful information. A recommended parameters list is presented below:

Table 4 Surface Monitoring Parameters		
pH	TDS	Iron
DO	TSS	Lead
Conductivity	Hardness	Manganese
Temperature	Cyanide-WAD	Mercury
Turbidity	Aluminum	Nickel
Chlorides	Arsenic	Selenium
Nitrates	Cadmium	Silver
Sulfates	Chromium	Zinc
Alkalinity	Copper <sup>2</sup>	

H3-14

*I.E.5.*

It may not be possible to comply with both the requirement to do individual whole body analyses of juvenile Chinook salmon and the requirement to do all sample collection and analysis in accordance with the published EPA QA/QC procedures. Dry weights of the individual juvenile salmon are very near the lower threshold required for laboratory QA/QC procedures. However, laboratory requirements are both changing and lab-dependent. Using the individual whole body analysis seems to be an appropriate means of both getting reasonable information and minimizing the number of fish sacrificed. Teck would ask that phrase "Notwithstanding the provisions of Section F. ....with respect to minimum sample weight" be added at the beginning of this section.

H3-15

*I.E.6.*

Results from monitoring required from Tables 1,2 and 3 will be submitted monthly and will thereby provide adequate notice to EPA of operational compliance. It does not seem reasonable to require submission of the surface water monitoring results at various times during the year and then again in the annual report. The surface monitoring results can serve little purpose without the context of the annual information. Therefore, Teck-Pogo recommends that all surface water monitoring results be submitted with the Annual Water Quality Monitoring Summary report.

H3-16

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*I.E.7.*

The Annual Water Quality Monitoring Summary report should be submitted on March 1. This coincides with the DEC annual report and allows time for all year-end samples to be analyzed and the results compiled.

The annual report should include an electronic version of all historical data, but the hardcopy provided should only relate to the evaluation of the results.

H3-17

**II. Best Management Practices Plan**

Teck intends to develop a comprehensive Environmental Management System (EMS) for construction and operation of the Pogo project. Teck-Pogo had intended that this EMS would not only incorporate the elements of the BMP plan described in II.D, but that it would also incorporate many additional details and procedures above and beyond the BMP plan requirements. However, the proposed language and structure of the permit and fact sheet is a disincentive to developing a comprehensive EMS. While one of the objectives of the EMS will be to ensure compliance with the NPDES permit and effluent limitations, the EMS will be a complex system and a minor oversight or omission in execution of all of the details of the EMS should not be interpreted as a violation of the NPDES permit as is contemplated by EPA on page 15 of the Fact Sheet. Teck-Pogo is seriously concerned about this statement in the Fact Sheet.

Teck-Pogo believes that the language presented in this section II is overbroad, and when taken together with the statement on page 15 of the Fact Sheet, is beyond the authority of EPA. Certainly EPA has the ability to require a BMP plan. However, the EPA regulations at 40 CFR § 122.44(k) contain a note stating that the listed guidance manuals provide "additional technological information on BMPs and the elements of BMPs," and that "these EPA guidance documents are listed here only for informational purposes; they are not binding and EPA does not intend that these guidance documents have any mandatory regulatory effect by virtue of their listing in this note."

H3-18

Teck-Pogo recommends that language be added to clarify that EPA's authority via a BMP plan is limited by Section 304(e) of the CWA, which speaks to the supplement of effluent limitations regulating "toxic or hazardous" pollutants, and to the control of "plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage which the [EPA] Administrator determines are associated with or ancillary to the industrial manufacturing or treatment process . . . and may contribute significant amounts of such pollutants to navigable waters." Deviations from the BMP plan should not be considered NPDES permit violations unless they contribute to an exceedance of the permit effluent limitations.

**III. Monitoring, Recording, and Reporting Requirement**

*III.B.*

Teck-Pogo will not be able to comply with the provision to submit the DMR's by the 15<sup>th</sup> of each month. Samples taken near the end of the month will not have results available in time to submit by the 15<sup>th</sup>. With potential lab errors or sampling problems, Teck-Pogo must be afforded the opportunity to sample late in the month. EPA will be notified within 24 hours of any results that exceed the maximum daily limitation. Therefore, EPA will be kept fully informed and Teck-Pogo recommends that the DMR's be submitted by the end of the following month.

H3-19

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*III.D.*

The last paragraph of this provision is ambiguous and should be clarified that it relates to sampling related to monitoring locations identified in the permit.

H3-19  
cont'd.

*III.E.4.*

The name of the individual should be included if the sample is analyzed onsite. If the sample is analyzed at a lab, the name of the lab, not the individual who performed the analysis should be included in the records

**FACT SHEET**

**Page 1** – Replace TeckCominco with Teck-Pogo Inc. in the title and in the first paragraph.

H3-20

**III.B. Water Quality Standards**

Teck-Pogo believes that the criteria of aluminum, cadmium, and manganese are more restrictive than necessary to protect the designated uses of the waterbody. Teck-Pogo will be requesting that the State of Alaska review these criteria in the next tri-ennial review.

Thank you for the opportunity to comment.

Sincerely,

Karl Hanneman  
Alaska Regional Manager  
Teck-Pogo Inc.

Cc: Cindi Godsey  
Hanh Gold  
Bill Riley  
Pete McGee  
Ed Fogels

Teck-Pogo Inc.

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**COMMENT RESPONSE:**

- H3-1 This issue will be addressed in EPA's response to comments with the final NPDES permit, which will be issued after publication of this FEIS.
- H3-2 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-3 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-4 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-5 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-6 Thank you for your comment. This issue will be addressed in ADEC's 401 Certification and EPA's response to comments with the final NPDES permit, both of which will be issued after publication of this FEIS.
- H3-7 This issue will be addressed in EPA's response to comments with the final NPDES permit, which will be issued after publication of this FEIS.
- H3-8 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-9 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-10 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-11 This issue will be addressed in EPA's response to comments with the final NPDES permit, which will be issued after publication of this FEIS.
- H3-12 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.

- H3-13 This issue will be addressed in EPA's response to comments with the final NPDES permit, which will be issued after publication of this FEIS.
- H3-14 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-15 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
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- H3-17 This issue will be addressed in EPA's response to comments with the final NPDES permit, which will be issued after publication of this FEIS.
- H3-18 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-19 Thank you for your comment. This issue will be addressed in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.
- H3-20 The correction will be made in EPA's response to comments with the final NPDES permit which will be issued after publication of this FEIS.



H4

May 13, 2003

Luke Boles  
Division of Air and Water Quality  
Department of Environmental Conservation  
610 University Avenue  
Fairbanks, Alaska 99709-3643

Re: **Comments on draft Pogo Waste Disposal Permit 0131BA002**

This document provides Teck-Pogo Inc.'s (Teck-Pogo) comments on the Draft Waste Disposal Permit as published in Appendix E of the Draft Environmental Impact Statement (DEIS) for the Pogo Gold Mine Project.

General Comment

Except as noted below under the specific comments, Teck-Pogo supports issuance of the solid waste permit as published in the draft and appreciates the opportunity to respond to questions raised during your development of the draft.

Specific Comments

1.1.1, 1.1.2, 1.2.1

Drawing 3 of the Monitoring Plan shows the Non-Mineralized Stockpile just upstream of the Recycle Tailings Pond. Section 7.4 of the November 2002 Plan of Operations Supplement indicates that this stockpile will store up to 335,000 tons of non-mineralized development rock. The language of Section 1.1.1, 1.1.2 and 1.2.1 should be modified so as to clarify that this non-mineralized stockpile is covered by the permit.

H4-1

1.7.2

This provision should be deleted, as 18 AAC 60.815 applies only to points of compliance, not to the surface water monitoring locations included in the monitoring plan.

H4-2

Thank you for the opportunity to comment.

Sincerely,

Karl Hanneman  
Alaska Regional Manger  
Teck-Pogo Inc.

**Teck-Pogo Inc.**

3520 International Street, Fairbanks, Alaska 99701 ■ telephone: 907 455.8325 ■ facsimile: 907 455.8326

Comments on Draft Waste Disposal Permit  
May 13, 2003  
Page 2 of 2

Cc: Ed Fogels  
Hanh Gold  
Bill Riley  
Cindi Godsey

**COMMENT RESPONSE:**

- H4-1 The text in Sections 1.1.1, 1.1.2, and 1.2.1 of ADEC's waste disposal permit will be modified to reflect the comment.
- H4-2 The provision in Section 1.7.2 of ADEC's waste disposal permit will be deleted to reflect the comment.

**Teck-Pogo Inc.**

3520 International Street, Fairbanks, Alaska 99701 ■ telephone: 907 455.8325 ■ facsimile: 907 455.8326

H-10  
Appendix E Response to Comments on DEIS  
H. Applicant Comments

September 2003



Pogo Mine Project

Final Environmental Impact Statement