



Janice K. Brewer  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007  
(602) 771-2300 • [www.azdeq.gov](http://www.azdeq.gov)



Patrick J. Cunningham  
Acting Director

## NOTICE OF PROPOSED ACTION by the

Arizona Department of Environmental Quality (ADEQ) on an application for an Arizona Pollutant Discharge Elimination System (AZPDES) Permit to discharge pollutants to Waters of the United States. ADEQ is issuing this notice of proposed action under the Clean Water Act (CWA) and in accordance with Arizona Administrative Code (A.A.C.) R18-9-A907.

The Director proposes to issue an AZPDES permit to discharge to the following applicant, subject to certain effluent limitations and special conditions:

Public Notice No. 04-09AZ

Publication Date: 4/15/09

AZPDES Permit No. AZ0024350  
Freeport-McMoRan Miami, Inc.  
P.O. Box 1270  
Claypool, Arizona 85532

The applicant applied for a renewal AZPDES permit for the discharge of up to 9.36 million gallons per day (mgd) of treated groundwater from the facility to Pinal Creek which is located in the Salt River Basin in Gila County, Arizona. The point of discharge is T2N, R15E, Section 18, approximately 60 miles east of Phoenix. Treatment utilizes a two-stage addition of base to neutralize the acidic nature of the influent by raising the pH combined with a clarification step. The higher pH causes the heavy metals to drop out of solution, and then be removed by a clarifier. The treated effluent is acidified to meet surface water quality standards and passed through sand filters prior to discharge. Pursuant to A.A.C. 18-11 Article 1, Appendix B, effluent limitations in the permit are based on the designated uses of aquatic and wildlife effluent dependent water (A&Wedw) and partial body contact (PBC). The discharge is to be monitored for total suspended solids (TSS), pH, and metals. Chronic whole effluent toxicity (WET) testing is required annually to assist in determining whether synergistic effects of monitored or non-monitored parameters are occurring.

With 24-hour notice, the draft permit and related documentation is available for public review Monday through Friday from 8:30 a.m. to 4:30 p.m. at the ADEQ Phoenix office. To review the file, contact the Records Management Center, 24 hours in advance at (602) 771- 4380. A copy of the pertinent documents may also be obtained by calling or writing ADEQ as follows.

Northern Regional Office  
1801 West Route 66 • Suite 117 • Flagstaff, AZ  
86001  
(928) 779-0313

Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ  
85701  
(520) 628-6733

Persons may submit comments or request a public hearing on the proposed action, in writing, to:

Eileen E. Dunn  
Arizona Department of Environmental Quality  
Water Quality Division  
1110 W. Washington St., 5415A-1  
Phoenix, AZ 85007  
Telephone: (602) 771-4449

All written comments received by ADEQ by the close of business on the date 30-days after publication of this notice will be considered in the final permit decision. Requests for a hearing must be in writing and must state the issues proposed to be raised in a hearing. If there is a significant degree of public interest, the Director will hold a hearing in accordance with A.A.C. R18-9-908(B). Additional notice of such hearing would be published at least 30-days prior to the hearing date.

Please bring the foregoing notice to the attention of all persons you know would be interested in this matter.