



Alaska Department of Environmental Conservation (DEC)

Please be advised that all mining operations discharging water into a stream, river, or other natural body of water are subject to the federal Clean Water Act, and will require an Alaska Pollutant Discharge Elimination System (APDES) permit. **APDES permits are administered by the Alaska Department of Environmental Conservation (ADEC), and subject to federal oversight by the U.S. Environmental Protection Agency (EPA).**

Open-cut placer operations can be covered under the APDES Mechanical Placer Miners General Permit. To meet permit limitations, your mining operation should be planned so that you will have zero discharge of water back into the stream (creek, lake, etc.), if it is at all possible. Streams and other surface waters must be diverted around the mining operation in a stream by-pass and most miners attempt to achieve zero discharge by setting up a 100% recycle system. Zero discharge means no water is released back into the stream either through a pipe, an overflow, by pumping, or by visible seepage through a dam or tailings filter. Underground flow or seepage through a dam or berm, **will be considered a discharge** if the water quality in the stream is affected as it flows past your mining operation. If ground water infiltration and surface run-on force you to have a discharge from your cut or settling ponds, the discharge must be sampled and you must meet permit limits ... **and under no circumstances can you be adding make-up water if you are having a discharge.**

The EPA may consider the discharge of water onto “wetlands” to be a “discharge into the waters of the United States”. Anyone considering the use of a “tundra filter” should contact ADEC for clarification of the EPA’s policy on this practice, and request a wetlands jurisdictional determination by the U.S. Army Corps of Engineers (USACE).

Suction dredge operations, based on intake nozzle size, must also obtain coverage under an APDES Permit. Suction dredges with an intake nozzle size less than or equal to six inches can be covered under the Small Suction Dredge General Permit. Suction dredges with an intake nozzle size greater than six inches and less than or equal to ten inches can be covered under the Medium Suction Dredge General Permit.

Please be aware that the APDES permits have specific monitoring and reporting requirements which must be performed ... **or you will be in violation of the terms of your permit.** If you discharge without a permit or violate permit requirements, including discharge limits or reporting requirements, you are risking civil and criminal penalties, including liability for substantial monetary damages. For additional permit information contact the Alaska Department of Environmental Conservation, Engineering/Mining Technical Services Section, 610 University Avenue Fairbanks, AK 99709 (1-907-451-2142).

U.S. ARMY CORPS OF ENGINEERS (CORPS)

General Permit (GP) 2014-55 for Mechanical Placer Mining Activities allows up to 5 acres of disturbance in wetlands, and 1500 linear feet of stream diversion for placer mining activities in “waters of the U.S.” including wetlands and streams, under Section 404 of the Clean Water Act. “Wetlands” are defined by presence of certain vegetation, soils and hydrology, and include many black spruce areas with permafrost soils. Activities in wetlands and streams that require a Corps permit include: mechanical land clearing, storing or stockpiling overburden or pay, construction of a stream diversion,

backfilling mine cuts, road construction and installation of culverts. A “jurisdictional determination” is required.

General Permit (GP) 2007-372 for “Floating Recovery Devices” allows floating mine operations in navigable, marine waters under Section 10 of the Rivers and Harbors Act.

- Operations that exceed the limits of either GP may require an **Individual Permit**.

To request a “jurisdictional determination” or apply for a permit , contact: U.S. Army Corps of Engineers, Regulatory Division, P.O. Box 6898, Anchorage, AK 99506; (1-800-478-2712 within Alaska, or 907-753-2712 from outside Alaska). Online at: <http://www.poa.usace.army.mil/reg/gps.htm>

U.S. BUREAU OF LAND MANAGEMENT (BLM)

If you are planning to camp on federal land in conjunction with suction dredge activity on a state navigable river, you will need to submit an application for a Land Use Permit for Long Term camping to the appropriate Bureau of Land Management Office. There is a \$250.00 annual rental fee for each site, and these permits are subject to cost recovery fees for processing and monitoring. For the Fortymile River and Scenic River Corridor, please contact the U. S. Department of Interior, Bureau of Land Management, Eastern Interior Field Office, 1150 University Avenue, Fairbanks, AK 99709 (907) 474-2200.