

# Idaho Department of Environmental Quality

Rules for Ore Processing by  
Cyanidation, IDAPA 58.01.13



# Overview

- Current Rules for Ore Processing by Cyanidation, IDAPA 58.01.13.
- Idaho Mining Association letter and request.



# Rules for Ore Processing by Cyanidation, IDAPA 58.01.13

- Revised in 2005 in response to petition from Idaho Conservation League and to Senate Bill 1169.
- Negotiated rulemaking meetings held in April, May, June and July 2005.
- Adopted by Idaho Board of Environmental Quality November 2005.
- Approved by the Idaho Legislature in 2006.



# Intent of Rules for Ore Processing by Cyanidation

- Prevent interference with the beneficial uses of State waters and the endangerment of public safety or the environment.
  - section 001.02
  - section 007.32
  - section 200.03.k
  - section 200.04
  - section 200.08.f
  - section 200.11.a
  - section 200.11.b

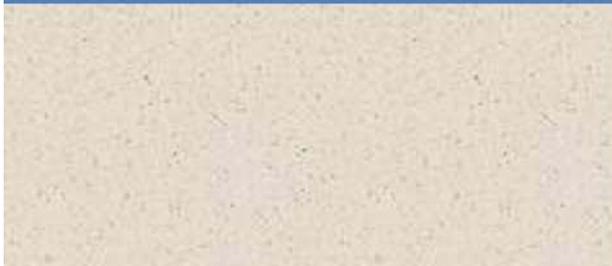


# **Current Minimum Plans and Specifications for Impoundments, Leach Pads and other Facilities Designed to Contain Process Water, IDAPA 58.01.13.200.03**

- Subbase and final compacted soil layer
- Primary synthetic liner
- If  $\geq 12$  inches hydraulic head on primary liner
  - Secondary synthetic liner
  - Leachate detection/collection system



# Minimum Plans and Specifications when single liner is required, IDAPA 58.01.13.200.03

	80-milli-inch high-density polyethylene liner (2.0 millimeter) $10^{-11}$ cm/sec maximum coefficient of permeability
	12 Inches (minimum) soil layer $10^{-6}$ cm/sec maximum coefficient of permeability



# Minimum Plans and Specifications when double liner is required, IDAPA 58.01.13.200.03

	80-milli-inch high-density polyethylene liner (2.0 millimeter) $10^{-11}$ cm/sec maximum coefficient of permeability
	Leak Detection and Collection System
	80-milli-inch high-density polyethylene liner (2.0 millimeter) $10^{-11}$ cm/sec maximum coefficient of permeability
	12 Inches (minimum) soil layer $10^{-6}$ cm/sec maximum coefficient of permeability



# Types of Cyanidation Facilities Receiving Process Water

- Ponds
- Heap Leach Pads
- Tailings Impoundments



# Current Requirements for Water Quality Protection, IDAPA 58.01.13.200

- Introductory paragraph to section 200  
“The following design and performance standards are intended as the minimum criteria for protection of public health and the waters of the state. These standards shall apply to all facilities unless the Department determines that other site-specific criteria are appropriate to protect water quality and the public health.”



# Use of Rules for Ore Processing by Cyanidation, IDAPA 58.01.13

- Rules have not been applied since approved in 2006.
- Midas Gold Idaho, Inc. is currently going through this process.



# Idaho Code 39-107D Requirements

- 39-107D(2)
  - Action based on science and studies
- 39-107D(3)
  - Identification of risk
  - Identification of studies



# Idaho Code 39-118A

## Ore Processing by Cyanidation

- 39-118A(1)
  - all plans and specifications for the construction of a cyanidation facility shall be submitted to and approved by the department before construction may begin
  - all construction shall be in compliance therewith
- 39-118A(2)(b)
  - 180-day limitation on processing complete applications



# Idaho Executive Order 2019-02 – Red Tape Reduction Act

- Agency to evaluate existing rules
- Evaluation of Rules for Ore Processing by Cyanidation will be part of this rulemaking



# **Request from Idaho Mining Association regarding Rules for Ore Processing by Cyanidation, IDAPA 58.01.13**

- March 18, 2019, letter from Idaho Mining Association requesting rulemaking.
- Negotiated rulemaking is necessary to evaluate such changes and determine if the rules should be updated.



# Idaho Mining Association Letter

- (1) Applicability of the design criteria to different types of cyanidation facilities



# Idaho Mining Association Letter

- (2) Consideration of a broader range of acceptable materials included in the design.



# Idaho Mining Association Letter

- (3) Broader interpretation of performance and compliance regarding constructability of leak detection systems.



# Idaho Mining Association Letter

- (4) Variability in design approach based on the physical characteristics of impounded materials.



# Idaho Mining Association Letter

- (5) Variability in design approach based on the chemical characteristics of impounded materials and process water.



# Idaho Mining Association Presentation

- Defer time to Idaho Mining Association to provide some information regarding their request.



# Next Steps

- Comments/input on DEQ's presentation.
- Comments/input on IMA's March 18, 2019 letter to DEQ and presentation.
- Comments/input on discussion during today's meeting.
- Comments/input are due to DEQ by close of business on May 13, 2019.



Thank you

Next meeting scheduled  
for May 31, 2019; 9 am to  
3 pm (MDT)

