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Arizona Department of Environmental Quality



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Pinyon Plain Mine Agency Roles and Responsibilities

Arizona Department of Environmental Quality (ADEQ)

Contact: Len Drago, Ombudsman/Tribal Liaison | [Email >](#)

Roles & Responsibilities: Under the Environmental Quality Act of 1986, the Arizona State Legislature created ADEQ in 1987 as the state's cabinet-level environmental agency. ADEQ administers the state's environmental laws and delegated federal programs to prevent air, water and land pollution and ensure cleanup and carries out several core functions: planning, permitting, compliance management, monitoring, assessment, cleanups and outreach.

ADEQ is composed of three environmental programs: Air Quality, Water Quality and Waste Programs, with functional units responsible for technical, operational and policy support. ADEQ helps oversee compliance with the following federal environmental laws: the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, and the Safe Drinking Water Act.

ADEQ issues environmental permits and inspects facilities to ensure they operate within the permit's terms. ADEQ requires that facilities are legally built, operated and monitored so that discharges to the air, water and soil are within acceptable standards that protect human health and the environment. When issuing an environmental permit, ADEQ staff determine the operation's environmental impact and establish operating conditions that, when complied with, will not adversely affect the environment.

Permits inform facilities of legally enforceable conditions for operation, as well as provide any reporting requirements and pollution monitoring or testing requirements. The process also enables citizens to stay informed and involved as decisions are made about proposed activities affecting the environmental quality of their community.

To ensure permittees comply with all environmental protection permits and regulation, ADEQ has a robust compliance and enforcement function and performs regular onsite inspections of permitted facilities, as well as inspections in response to complaints. Permittees must also monitor environmental parameters, keep appropriate records and make regular reports to ADEQ.

At Pinyon Plain Mine, ADEQ implements and enforces laws and regulations related to groundwater protection, air quality, and stormwater control through an Individual Aquifer Protection Program (APP) permit, a Class II Air Quality permit, and an Arizona Pollutant Discharge Elimination System (AZPDES) Industrial Stormwater Mining Multi-Sector General Permit, respectively.

Website | [View >](#) | **Pinyon Plain Webpages:** Water Quality Permit of Interest | [View >](#) | Air Quality Permit of Interest | [View >](#)

U.S. Environmental Protection Agency (USEPA)

Contacts:

- Kevin Gong, Staff Director, Region 9 Office of the Regional Administrator | [Email >](#)
- Kori Cordero | [Email >](#)
- Tony Singh | [Email >](#)

Roles & Responsibilities: President Richard Nixon created the USEPA on December 2, 1970, to protect human health and the environment, consolidating many environmental responsibilities of the federal government under one agency. USEPA's Pacific Southwest Region (Arizona, California, Hawaii, Nevada, the Pacific Islands, and 148 federally recognized tribes) works with tribes, states, and local authorities to regulate pollutant emissions.

USEPA issued construction approval for facilities at Pinyon Plain Mine related to radon emissions. As part of this approval, the facility must monitor radon emissions and model them so that emissions of radon-222 to the ambient air from the underground uranium mine shall not exceed those amounts that would cause any member of the public to receive in any year an effective dose equivalent of 10 millirems per year (mrem/y). Monitoring must follow the protocol outlined in 40 CFR Part 61 Appendix B Method 115. The mine owner or operator shall annually calculate and report the results of the compliance calculations and the input parameters used in making the calculations. This report shall cover a calendar year's emissions and be sent to USEPA by March 31 of the following year.

The Safe Drinking Water Act (SDWA) was initially passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 and requires many actions to protect drinking water and its sources—rivers, lakes, reservoirs, springs, and groundwater wells. (SDWA does not regulate private wells that serve fewer than 25 individuals.) The SDWA authorizes USEPA to set national health-based standards for drinking water to protect against both naturally occurring and man-made contaminants that may be found in drinking water. USEPA, states, and water systems then work together to meet these standards. ADEQ has primacy for the implementation of SDWA. ADEQ also implements the Aquifer Protection Program (APP) to protect groundwater from any potential contamination. USEPA works with and oversees ADEQ in their SDWA implementation. SDWA Section 1431 allows USEPA to act upon receipt of information that a contaminant is present in or likely to enter a water system or underground source of drinking water or when the agency is aware of a threatened or potential terrorist attack (or other intentional act) designed to disrupt the provision of "safe" drinking water (42 U.S.C. §300i).

Website | [View >](#)

U.S. Forest Service (USFS)

Contact: Marcos A. Roybal, Public Services Staff Officer, Kaibab NF | [Email >](#)

Roles & Responsibilities: The 1872 mining law required the USFS to make minerals from the National Forest System lands available to the national economy. The USFS is also responsible for minimizing the adverse impacts of mining activities on other surface resources. If a significant disturbance occurs, USFS must submit and approve a plan of operations under 36 CFR 228 Subpart A.

USFS analyzes the environmental effects of mining activities before authorization, pursuant to the National Environmental Policy Act (NEPA). 36 CFR 220. In addition, through the NEPA process, USFS considers public comment and develops resource protection and reclamation measures required during and after mine operation. USFS maintains a reclamation bond to ensure funding is available for reclamation measures after mining activities end. Once a mining operation is approved, USFS monitors the mining company's compliance with the operations plan and requirements imposed by the NEPA process.

Website | [View >](#)

Arizona State Mine Inspector (ASMI)

Contact: Paul Marsh, State Mine Inspector | [Email >](#)

Roles & Responsibilities: The Mission of the State Mine Inspector's Office is to ensure the health and safety of people working at mines, coordinate the closure of abandoned mines on state and private land posing a threat to public health and safety, and ensure that lands used for mining are reclaimed adequately for public use once mining is completed. The State Mine Inspector is a statewide elected constitutional officer, the only elected mine inspector in the US, and the director of the Office of the State Mine Inspector.

The Office of the State Mine Inspector was established by the Constitution of the State of Arizona, Article XIX. The agency enforces statutes, rules, and regulations applicable to mine safety, health, and land reclamation under Arizona Revised Statutes Title 27 Minerals, Oil and Gas and Arizona Administrative Code Title 11 - Mining. The agency helps ensure miner safety by inspecting work conditions and practices at active mining operations, investigating mine accidents and employee and public complaints about mine safety, and conducting federally certified miner and instructor safety training.

To protect the public against the dangers of abandoned mines, the agency investigates and inventories abandoned mine sites, assesses their risk to public health and safety, and coordinates the securing or closure of those found to be dangerous. The agency promotes public safety regarding abandoned mines through "Stay Out Stay Alive" promotions, presentations, publications, complaint investigations, and mine owner Arizona Revised Statutes 27-318 compliance notifications.

Website | [View >](#)

Arizona Game and Fish Department (AGFD)

Contact: Hannah Griscom, Urban Wildlife Planner | [Email >](#)

Roles & Responsibilities: Under Title 17 of the Arizona Revised Statutes, AGFD manages and conserves Arizona's wildlife resources. AGFD also secures and enhances public access to wildlife, including fishing, hunting, and non-consumptive wildlife recreation.

AGFD's involvement with the Pinyon Plain Mine has been minimal to date. However, AGFD remains engaged on topics related to the potential impacts of mining activities on wildlife and recreation. AGFD also remains engaged in matters related to the transport of mined materials, public safety, and access to surrounding ranches and public lands.

Website | [View >](#)

U.S. Fish and Wildlife Service (USFWS)

Contact: Shaula Hedwall, Senior Fish and Wildlife Biologist | [Email >](#)

Roles & Responsibilities: USFWS is working with others and is responsible for conserving, protecting, and enhancing fish and wildlife and their habitats for the continuing benefit of the American people through Federal programs relating to migratory birds, endangered species, inter-jurisdictional fish and marine mammals, and inland sport fisheries. What we do:

- Acquire, protect, and manage unique ecosystems necessary to sustain fish and wildlife such as migratory birds, resident species, and endangered species.
- Operate a National Fish Hatchery System in support of the restoration of depleted inter-jurisdictional fish stocks, the recovery of federally listed threatened and endangered species, and the fulfillment of Federal mitigation responsibilities.
- Provide protection for fish and wildlife from dislocation or destruction of their habitats, overuse, and industrial, agricultural, and domestic pollutants.
- Render financial and professional technical assistance to States through Federal Aid programs to enhance and restore fish and wildlife resources.
- Conduct enforcement programs, management, and professional technical assistance for other agencies to protect endangered species.
- Promulgate and enforce regulations to protect migratory birds, marine mammals, fish, and other nonendangered wildlife from illegal taking, transportation, or sale within the United States or from foreign countries.
- Conduct programs of planning, evaluation, and professional technical assistance to other agencies for the proper use and protection of fish and wildlife habitats that directly benefit the living natural resources and add quality to human life.
- Conduct programs of interpretation, education, and recreation to foster a stewardship ethic in the American public through high-quality fish and wildlife-oriented experiences.

- Communicate information essential for public awareness and understanding of the importance of fish and wildlife resources, and interpret fish and wildlife changes reflecting environmental degradation that will ultimately affect human welfare.

The U.S. Geological Survey (USGS), Bureau of Land Management (BLM), National Park Service (NPS), FWS, and U.S. Forest Service (FS) jointly developed the 15-year study plan: “Informing Future Decision-Making on Uranium Mining: A Coordinated Approach to Monitor and Assess Potential Environmental Impacts from Uranium Exploration and Mining on Federal Lands in the Grand Canyon Region, Arizona”. The partners created this plan to address key scientific uncertainties related to the effects of uranium mining in the Northern Arizona region.

Website | [View >](#)

U.S. Geological Survey (USGS)

Contacts:

- Jo Hinck, USGS NRDAR and Disaster Supplemental Science Coordinator | [Email >](#)
- Fred Tillman, USGS Arizona Water Science Center | [Email >](#)

Roles & Responsibilities: The U.S. Geological Survey (USGS) is a federal earth science agency that collects data, performs scientific investigations and provides unbiased, quality scientific information to decision-makers and the public.

The USGS has no regulatory authority, enforces no environmental rules or regulations, and manages no public land. Our involvement with the Pinyon Plain Mine is in response to science questions raised by then-Secretary of Interior Ken Salazar during the 2012 Record of Decision (ROD) withdrawing federal land in the Grand Canyon region from future uranium mining.

The USGS collects environmental data and publishes scientific investigations to further knowledge and understanding of the potential effects of uranium mining at the Pinyon Plain Mine on water and biological resources in the area.

Websites/Webpages:

- Pinyon Plain Mine | [View >](#)
- Perched Groundwater Well Data | [View >](#)
- Regional Groundwater Well Data | [View >](#)
- Uranium and Arsenic in Groundwater Mapper | [View >](#)
- Water Quality Results | [View >](#)
- Science Decision Making on Uranium Mining in Arizona | [View >](#)

Arizona Department Of Emergency and Military Affairs (DEMA)

Contacts: Gabe Lavine, Director, Division of Emergency Management | [Email >](#)

Roles & Responsibilities: A uranium release (or any radiological release) from a rail or over-the-road incident is a local response, following the well-structured Local Emergency Operations Plan (that nests with the Arizona State Emergency Response and Recovery Plan (SERRP) and the Arizona Revised Statutes-required HAZMAT Emergency Response Plan. These plans are crucial in guiding our actions and ensuring a coordinated response. If the incident is on a state route or interstate, a unified command is established with the local authority having jurisdiction (AHJ) and the Department of Public Safety (DPS). The unified command is with the local AHJ and the rail company if it's a rail incident. ADEQ, as the state's lead agency for HAZMAT (ESF-10) response, deploys a state coordinating officer from their HAZMAT Response team. DPS provides technical support via its HAZMAT team and liaisons. The Arizona Department of Transportation (ADOT) provides technical support for roadway incidents via their HAZMAT specialists.

DEMA can deploy both the civil support team (CST) and specialists from our Technical Hazards Branch who specialize in radiological incidents. We can also deploy additional all hazards HAZMAT teams, which are regionally based via the ESF-4 (Firefighting All Hazards) coordination desk from the State Emergency Operations Center (SEOC). If the event has the potential to impact agricultural products, the Arizona Department of Agriculture (ADA) has an emergency response team that supports it. ADA exercises regularly and has significant expertise in mitigating the impacts of these types of events. For transnational incidents, coordination and resources are facilitated by the USEPA Border 2025 Initiative. This binational response plan and partners respond to these types of incidents that transcend the international border. The mutual aid component of the plan allows US resources to respond within 60 miles of the international border for HAZMAT incidents and facilitates expedited movement through the POEs. The same is true in reverse for Bomberos coming to assist on the northern side. Annual exercises and joint training occur regularly and the Mexican HAZMAT technicians attend the Arizona Hazmat Tech course for certification. Due to the high-consequence nature of an event, DEMA is the statutory lead agency for Palo Verde-specific releases. It is certified bi-annually by the Federal Emergency Management Agency (FEMA) on our response plan.

Through the Arizona Department of Homeland Security (AzDoHS), the Urban Area Security Initiative (UASI), and State Homeland Security Grant Program (SHSGP) grants, significant investments have been made in HAZMAT team equipment and training. Also, through AzDoHS is a newer initiative called Securing the Cities. This initiative invests in passive persistent monitoring of radiological threats. AzDoHS, Arizona Counter Terrorism Information Center (ACTIC), and DEMA monitor the International Atomic Energy Agencies (IAEA) notifications of stolen radiological sources and hits on the national and international monitoring systems. DEMA's Tech Hazards Branch also coordinates regularly with the Nuclear Regulatory Agency and the FEMA Radiological Emergency Preparedness Office for response and preparedness activities. The Arizona Department of Health Services (ADHS) handles regulatory oversight with their Radiation Regulatory Agency (RRA). As the RRA, they ensure compliance with relevant state and federal regulations but conduct inspections and provide technical assistance if requested.

It is important to note that radiological hazmat calls (from various radiation sources) happen regularly on Arizona roads. The frequency of these incidents underscores the need for constant preparedness and the

significant amount of material moving daily. These incidents occur with little fanfare or incident, but they require our continuous attention and readiness.

Website | [View >](#)

Coconino County Emergency Management (CEM)

Contact: Gregory Nelson, PhD, Government Affairs Director, County Manager's Office | [Email >](#)

Roles & Responsibilities: CCEM supports emergency response agencies should there be an incident at the Pinyon Plain Mine or along the haul route to the White Mesa Mill. We have also composed a contact sheet for all emergency response agencies along the entire route from the mine site to the White Mesa Mill. We have coordinated with the northern AZ HazMat Team, and they do not have any concerns about an ore hauling incident/spill. CCEM will also inform county leadership on situational awareness should there be an incident related to the mine. Lastly, CCEM will maintain current plans from both the mine and the hauling company (once received), and we will review those plans annually. The roles and responsibilities for a response to an incident related to the mine or hauling, as with any response, are detailed in the All Hazards Coconino County Emergency Operations Plan and further detailed in our department Operations Procedures Manual (not a public document) | [View Emergency Operation Plan >](#)

Website | [View >](#)