



Katie Hobbs
Governor

Arizona Department of Environmental Quality



Karen Peters
Cabinet Executive Officer
Executive Deputy Director

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

ARIZONA WATER QUALITY ASSURANCE REVOLVING FUND

DETERMINATION OF EMERGENCY

This Determination of Emergency authorizes the use of the Water Quality Assurance Revolving Fund (WQARF) for all reasonable costs incurred in remedial actions taken in response to a release or threat of a release of hazardous substances and/or pollutants that present an emergency to the public health or welfare or the environment relating to the Senator Mine, located approximately 11 miles south of Prescott, Yavapai County, Arizona with the coordinates of 34° 25' 35.63"N 112° 25' 55.23"W (the Property). The Property's parcel numbers are 205-14-246P and 205-14-246Q. Hazardous substances and pollutants are defined by Arizona Revised Statute (A.R.S.) §§ 49-281 and 49-201.

In accordance with A.R.S. §§ 49-282(E), 49-282.02 and 49-287(E)(1) and (E)(3), The Arizona Department of Environmental Quality hereby makes the following findings:

1. Drainage from a mine adit located on the Property, may be discharging hazardous substances and/or pollutants into waters of the Hassayampa River, a designated Water of the United States.
2. Drainage from the mine adit located on the Property is ponding on the tailings and waste rock which may lead to tailings instability. Further mine adit drainage or rain runoff may result in a failure of the mine waste into the Hassayampa River, contaminating the water and endangering downstream wildlife.
3. Residents utilizing the area surrounding the property or through the use of the Hassayampa River may be at risk or potentially at risk through the exposure to hazardous substances and/or pollutants by way of surface water and mine waste.
4. ADEQ has determined all proposed remedial actions are deemed necessary to prevent and minimize the release of hazardous substances and/or pollutants as a result of current site conditions.
5. ADEQ is taking all emergency actions and incurring costs to protect the public health and environment from the possible exposure associated with the adit discharge and potential failure of mine waste into the Hassayampa River. All associated costs will be reasonable, necessary, cost-effective and technically feasible.

- ADEQ has made the determination that site conditions at the property may constitute a potentially imminent and substantial endangerment to the public health, as defined pursuant to A.R.S. § 49-282.02(C), and that reasonable costs incurred in the remedial actions associated with the discharge will be funded by WQARF. As required by A.R.S. § 49-282.02(A), the remedial action funded as an emergency response shall be completed within one year of the date of this letter.

Arizona Department of Environmental Quality

DocuSigned by:

Julie Riemenschneider

6/28/2024

FC6BE52F7A5B425...

Julie Riemenschneider, Director
Waste Program Division
Arizona Department of Environmental Quality

Date