

1860 East River Road, Suite 200
Tucson, AZ 85718
USA

T +1 520 485 1300

south32.net



September 18, 2023

Via Electronic Mail

Arizona Department of Environmental Quality
Attention: Mr. Vimal Chauhan, Groundwater Protection
1110 West Washington Street
Phoenix, Arizona 85007
Email: chauhan.vimal@azdeq.gov

Re: Aquifer Protection Program (APP) Permit No. P-512235, Request for Determination of Applicability

Dear Mr. Chauhan:

South32 Hermosa Inc. (South32) is submitting this request for a Determination of Applicability (DOA) under Arizona Administrative Code (A.A.C.) R18-9-106. This submittal includes the DOA Application Form and Supplemental Information supporting this request.

As the request indicates, South32 is seeking a determination from the Arizona Department of Environmental Quality (ADEQ) that cemented paste tailings backfill to be used in the underground workings for use as structural fill is considered "inert material" as defined by Arizona Revised Statutes (A.R.S.) 49-201.22. The Supplemental Information included with this Application supports this determination.

Thank you for your consideration. Please contact Paul Nazaryk at (970) 903-1792 if you have any questions or require additional information.

South32 Hermosa Inc.,

Brent Musslewhite
Director, Environment and Permitting