



October 18, 2010

Ralph Bohn
Solid Waste Section Manager
Division of Solid and Hazardous Waste, UDEQ
P.O. Box 144880
Salt Lake City, UT 84114-4880

Dear Mr. Bohn:

As we discussed in your office on September 14, 2010, Park City Municipal Corporation is engaged in construction projects that involve the excavation of soil impacted by mine tailings. It has become necessary for the City to use temporarily a City-owned and managed parcel for the staging of these soils prior to final disposal in accordance with applicable law. The City is aware that "solid wastes from the extraction, beneficiation, and processing of ores and minerals" are exempt from solid waste regulation under Utah Code 19-6-102(17)(b), so long as the wastes do not cause a public nuisance or public health hazard.

The purpose of this letter is to notify the Division of Solid and Hazardous Waste that the City will rely on the "mine waste exemption" until a location for final disposal is identified. The City has field and lab tested the soils to determine they are impacted by mine tailings; they are characterized by levels of total Lead generally above 500 mg/kg. In addition, the City has and will continue to take steps to ensure the soils are managed so as not to cause a nuisance or health hazard. The mine waste soils are staged in piles in an upland area of less than 4 acres and are being graded into a continuous mound in preparation for the addition of a 6 inch soil cover and hydro-seeding. Further, the City will install controls up and down slope of the mound to restrict surface water run on and runoff and will regularly inspect and maintain the site until vegetation is established and effective. Ultimately, the mine waste soils will be relocated for final disposal in an approved repository and closed in accordance with applicable law.

We would be happy to address any comments or questions you may have. I can be reached at Joan.Card@parkcity.org or 435-615-5153.

Sincerely,

A handwritten signature in cursive script that reads "Joan Card".

Joan Card, Manager
Environmental Regulatory Affairs