



*Office of the County Commissioners*

*JV Moody, Chair  
Bill Wallace  
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August 7, 2023

Robert Grosvenor  
CGNF, Gardiner Ranger District  
PO Box 5  
Gardiner, MT 59030

Mr. Craig Jones  
Montana Department of Environmental Quality  
Director's Office  
PO Box 200901  
Helena, MT 59620-0901

**RE: East Boulder Mine Amendment 004**

Dear Mr. Grosvenor:

The Sweet Grass County Commissioners appreciate this opportunity to submit the County's comments on the Sibanye-Stillwater East Boulder Mine Amendment 004 to expand the tailings facility and waste rock storage areas. The Commissioners urge the Forest Service to approve the Agency Modified Alternative for the following reasons:

1. Economic impact:

The East Boulder Mine is located in Sweet Grass County and the Sibanye-Stillwater Mining operations here represent approximately 54% of the county's tax base as well as roughly 20% of direct employment in the county. The mine also brings in contractors, subcontractors and suppliers, many of whom contribute to the economy of Sweet Grass County. The East Boulder mine operations affect all of south-central Montana, with employees in Stillwater, Park and Yellowstone Counties. As noted in the study done by the Bureau of Business and Economic Research at the University of Montana, the Sibanye-Stillwater mine is a "sizable generator of economic prosperity, not only for the communities in which they are located, but for the state as a whole." Sibanye-Stillwater supports approximately 500 direct and indirect jobs in Sweet Grass County. Direct and indirect employment by SMC contributes to about 6000 jobs in the state of Montana and more than 6 billion in economic output. Both through taxes and indirectly, the mine supports county operations, the schools, the medical center and community non-profits. The mine contributes to the tax base in a myriad of ways, including property tax, wages, metal mines license tax and gross proceeds.

Sibanye-Stillwater's operations enhance employment opportunities, services, and help meet community needs in a multi-jurisdictional area of the state. As Commissioners, we appreciate and are cognizant of the benefit to our community from Sibanye-Stillwater's operations and know that severe adverse impacts would occur if the East Boulder Mine had to cease operating in 2025, as would likely occur under the no action alternative.

## 2. Global role in PGM production and recycling

The East Boulder mine is the largest producer of platinum group minerals and has the highest grade ore in the world. Both platinum and palladium are on the United States Geological Survey's 2022 critical minerals list. The Energy Act of 2020 defines a "critical mineral" as a non-fuel mineral or mineral material essential to the economic or national security of the U.S. and which has a supply chain vulnerable to disruption. Sibanye Stillwater has implemented a global PGM recycling business and is the world leader in recycling of spent auto catalysts. Sibanye-Stillwater continues to seek ways to reduce its impact, become carbon neutral and to recapture minerals and product from the processing of the ore. Sibanye-Stillwater's resources play important roles in strategic reserves, national security and addressing some of the gaps in supply chain disruption. These are important benefits derived from the operations of the East Boulder Mine.

## 3. Environmental standards

For more than 20 years, Stillwater Mine has following the requirements of the Good Neighbor Agreement and worked with local representatives from Northern Plains Resource Council, the Stillwater Protective Association and Cottonwood Resource Council to monitor water quality, address environmental concerns and implement processes for dispute resolution. This plan has been in place now since 2000 and there has been no environmental litigation or arbitration in that time period as the parties have committed to collaboration and an adaptive management plan for water quality.

In addition, Sibanye-Stillwater has been innovative in its recycling and recapture of by-products from the smelting and processing operations. Stillwater Mine's history on environmental issues, water quality and stakeholder engagement in the community are also factors in the Commissioners' support of the East Boulder Mine Amendment No. 4.

## 4. Independent review and analysis of tailings storage facility design:

The proposed Dry Fork Waste Rock Storage Facility and Lewis Gulch Tailings Storage Facility actions align with the current Forest Plan and Montana Hard Rock Mining Regulations. Stillwater Mine has been engaged in a study of alternatives such as dry stack or filtered tailings, and has committed to continue to research filtered tailings. It is our understanding, not only from Stillwater Mine's commissioned independent reviews (see Rough Stock Mining Services East Boulder Mine Whole Mill Tailings report) but also from the reports of Haley Aldrich, who is the geotechnical engineering company retained by ERO Resources Corporation, the company hired to prepare the EIS. Haley Aldrich's Technical Memorandum #3 concludes that the proposed construction method for the Lewis Gulch tailings storage facility still represents the most suitability technology for tailings storage at this site, given the size of the fines and



slimes produced by the East Boulder Mine, and ensuring the applicability of the state mining code and associated requirements to slurry tailing facilities.

This action has been thoroughly analyzed by the Custer Gallatin National Forest, the Montana DEQ, independent entities, and by an Independent Review Panel (IRP). The Commissioners have had the opportunity to discuss this tailings storage design with members of the IRP, who regularly review and audit tailings storage facilities around the world. The IRP has expressed its confidence in the design and the suitability of the design for the type of fines and slimes produced from the East Boulder Mine tailings. Pursuant to Montana Code, 82-4-377, the IRP provides a mechanism for independent assurances of the technical soundness of the design and it makes recommendations for planned operating, monitoring, maintenance and closure procedures. As noted in the Dam Safety Report, Sibanye-Stillwater has accepted and worked with IRP recommendations on design, monitoring and post closure plans.

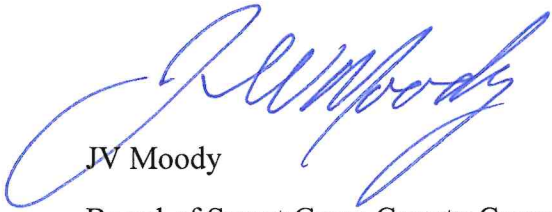
5. Alternative 3 or Agency-Modified Alternative:

Based on comments received during public scoping, DEQ and the Forest Service have both stated a preference in the EIS for an Agency Modified Alternative, with certain developed permit stipulations in Table 2.4-1. This alternative appears to address some of the concerns with sizing of storm water channels, visual appearance, and the creation of a more natural land design that is intended to increase long term stability of the tailings storage. In particular, we note that this alternative would have a designed capacity to convey a 1 in 200 year, 24 hour precipitation event and reduce erosion.

The Board of County Commissioners believe that approving Major Amendment 004 with the agency-modified alternative would address certain safety concerns that can be addressed by current technology, while allowing the East Boulder Mine to continue to operate for another \_\_\_\_ years. The continued operations of the East Boulder Mine would allow Sweet Grass County, the other communities supported by the mine, and the State of Montana to continue to benefit from the sustainable revenue and beneficial economic impacts derived by the mine operations.

Thank you again for the opportunity to comment in support of the East Boulder Mine Amendment No. 4. We encourage you to adopt Alternative #3 for the reasons stated herein.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. V. Moody". The signature is fluid and cursive, with a large initial "J" and "V".

JV Moody

Board of Sweet Grass County Commissioners