



## PUBLIC NOTICE

Alaska Department of Environmental Conservation (DEC)  
Wastewater Discharge Authorization Program/§401 Certification  
555 Cordova Street, Anchorage AK 99501-2617  
Phone: 907-269-6285 | Email: [DEC-401Cert@alaska.gov](mailto:DEC-401Cert@alaska.gov)

# Notice of Application for State Water Quality Certification

**Public Notice (PN) Date:** August 15, 2024  
**PN Expiration Date:** September 15, 2024

**PN Reference Number:** POA-2012-00236 v1.0  
**Waterway:** Colville River

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into waters of the United States, in accordance with Section 401 of the Clean Water Act (CWA), must also apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the CWA and the Alaska Water Quality Standards (18 AAC 70). The scope of certification is limited to the water quality-related impacts from the activity subject to the Federal license or permit (40 CFR 121.3, 18 AAC 15.180).

Notice is hereby given that a request for a CWA §401 Water Quality Certification of a Department of the Army Permit application, Corps of Engineers' PN Reference Number indicated above has been received<sup>1</sup> for the discharge of dredged and/or fill materials into waters of the United States (WOTUS), including wetlands, as described below, and shown on the project figures/drawings. The public notice and related project figures/drawings are accessible from the DEC website at <https://dec.alaska.gov/water/wastewater/>.

To comment on the project or request for a public hearing with respect to water quality, submit comments via email to the DEC email address: [DEC-401Cert@alaska.gov](mailto:DEC-401Cert@alaska.gov) with the subject line referencing Public Notice Reference Number: **POA-2012-00236 v1.0** or via the DEC website <https://dec.alaska.gov/commish/public-notices/> on or before the public notice expiration date listed above.

**Applicant:** Finnex LLC, Harry Bockmeulen, 301 Calista Court, Anchorage, AK 99518, (907) 865-5808;  
[harry@finnexllc.com](mailto:harry@finnexllc.com)

**Agent:** Fairweather LLC, Jacob Rowland, 301 Calista Court Anchorage, AK 99518; (907) 267-4609;  
[jacob.rowland@fairweather.com](mailto:jacob.rowland@fairweather.com).

**Purpose:** The applicant's stated purpose is to expand the existing Mustang Pad to provide space for employee housing at the site to allow for the operation of the Mustang Pad to produce petroleum from the Kuparuk "C" sand reservoir.

**Description of Proposed Work:** The scope of this project is to add an additional 5 acres of gravel to the Mustang Pad on the North Slope of Alaska currently operated by Mustang Holding LLC. This gravel pad expansion shall match the existing pad elevation and shall be located on the southeast corner of the pad at the approach. The gravel shall be mined from the original mine site located adjacent to the pad. The materials used for the project will be 70,000 cubic yards of gravel fill, organic and mineral will be used to Fill 5 Acres of Waters of the US.

**Additional Information:** The proposed project will require the following additional authorizations: Alaska Department of Natural Resources (ADNR) Land Use Permit (issued), ADNR Plan of Operations Authorization (issued), and an Alaska Department of Environmental Quality APDES Permit (issued). Brooks Range Petroleum Corp, a former operator of the Mustang Pad, obtained a Section 404 permit authorization, POA-2012-00236, that was issued on January 13, 2013, to construct the Mustang Road, pad, and gravel mine. The permit authorized approximately 99.2 acres of fill into tundra wetlands for the road, pad, and gravel mine.

<sup>1</sup> Reference Number: HQ5-G2BK-E1SXP: Received: 07/29/2024

**Applicant Proposed Mitigation:** The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

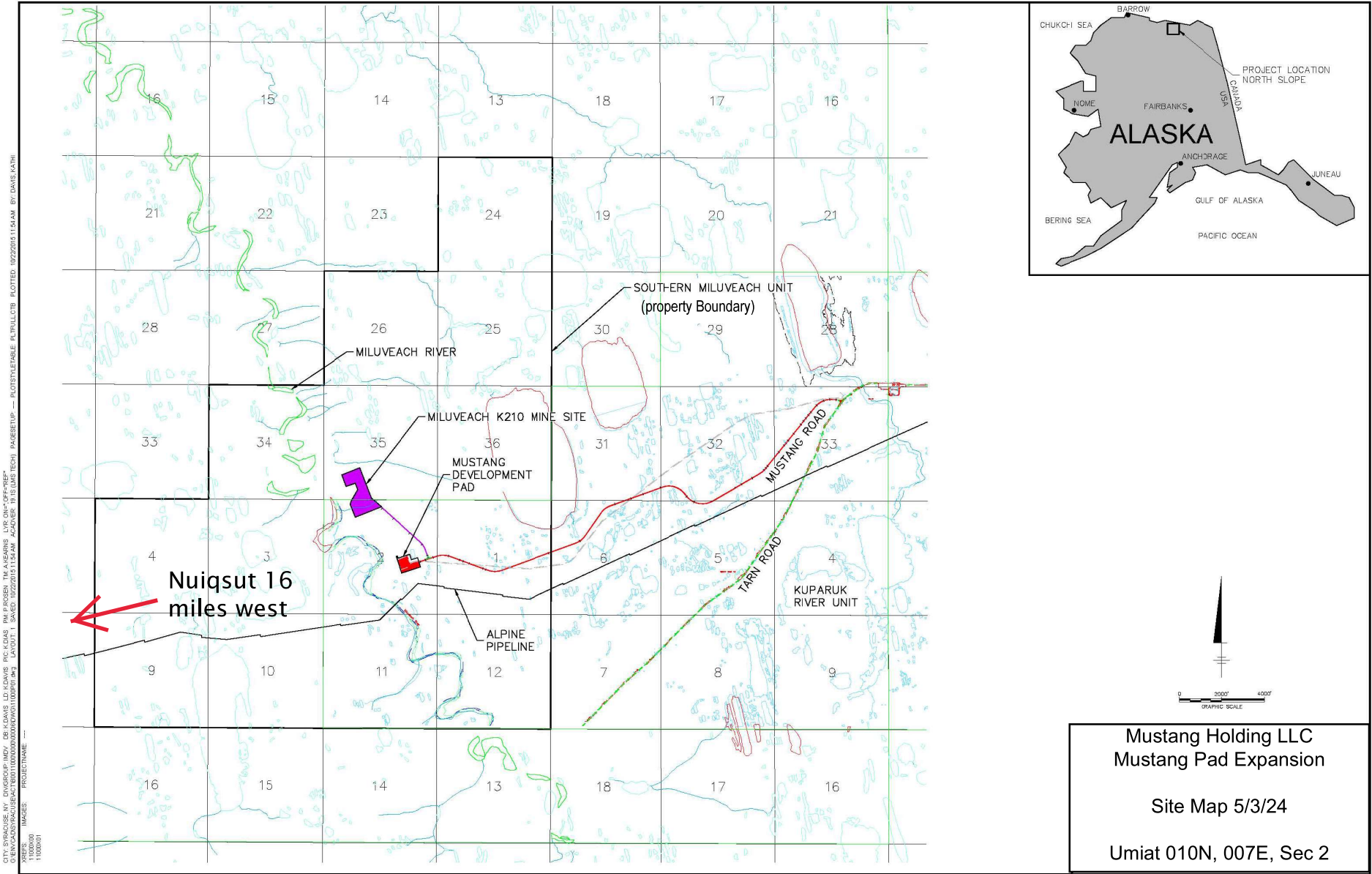
- a. **Avoidance:** There are no practicable, non-wetland alternatives to develop the Mustang Pad expansion. However, MHLLC has avoided construction of additional drilling pads by utilizing directional drilling techniques and expanding the footprint of the existing pad. This allows full reservoir development from a single pad, thus maximizing oil production and development while eliminating impacts to wetlands. High value wetlands were avoided by positioning the pad and roads on drier ground. Large ponds and lakes were avoided altogether. The project design avoids the floodplain of the Miluveach River to the west of the project.
  - b. **Minimization:** Directional drilling techniques will be used, which will avoid the need for the development of additional separate pads, limiting impacts to the minimum space necessary to expand the existing pad. The project components have been positioned to avoid streams, rivers, large lakes, and high value wetlands to the greatest extent possible. Project features have also been designed to minimize the footprint of the project while allowing for the safe and practical development of the field. The location of the pad expansion was selected to reduce the quantity of gravel deposited, acreage of wetlands affected, and risk of potential oil spills. The proposed pad expansion is needed to further the project's ability to drill and produce oil from a singular pad and reduce the necessity for multiple drill pads. The proposed expansion will use existing access roads to limit impacts. Fugitive dust generated from the gravel pad will be controlled by watering the surfaces when necessary. Spill prevention and response measures will be implemented to lessen possible impacts to wetlands and waters. Personnel will be trained in both prevention and response techniques. Prevention procedures occur during all stages of production, storage, transport, and operations. An Oil Discharge Prevention and Contingency Plan, SPCC Plan, Facility Response Plan and a Blowout Contingency Plan have been developed for the project.
  - c. **Mitigation:** The applicant has proposed to purchase credits from the Conservation Fund's Alaska ILF program for unavoidable impacts to wetlands and waters of the U.S. caused by the project. The purchased credits would be used for preservation only.
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After reviewing the application, the Department will evaluate whether the activity will comply with applicable water quality requirements (any limitation, standard, or other requirement under sections 301, 302, 306, and 307 of the CWA, any Federal and state laws or regulations implementing those sections, and any other water quality-related requirement of state law). The Department may certify (or certify with conditions) with reasonable assurance the activity and any discharge that might result will comply with water quality requirements. The Department also may deny or waive certification.

The permit application and associated documents are available for review. For inquires or to request copies of the documents, contact [dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov), or call 907-269-6285.

### **Disability Reasonable Accommodation Notice**

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act (ADA) of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact ADA Coordinator Megan Kohler at 907-269-4198 or TDD Relay Service 1-800-770-8973/TTY or dial 711 prior to the expiration date of this public notice to ensure that any necessary accommodations can be provided.



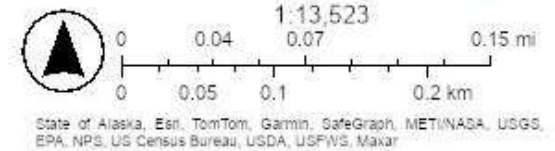
Appendix A: Figure 1/6

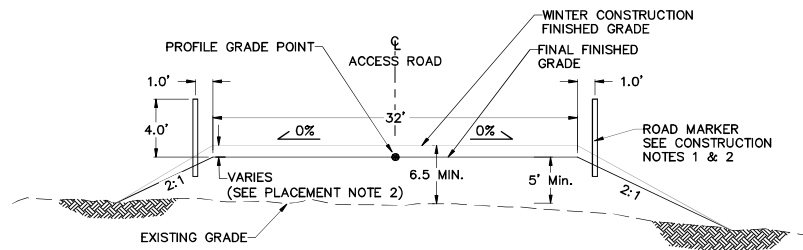
# MHLLC - Mustang Expansion Area and Distance to Nearest Waterbody



5/3/2024 Umiat, 010N, 070E, Sec 2

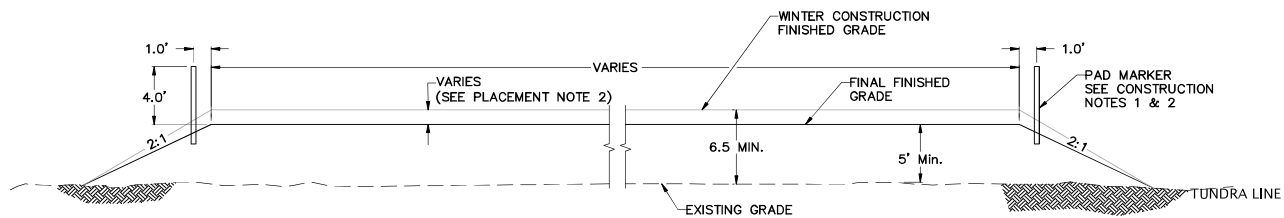
Appendix A: Figure 2/6





① TYPICAL ACCESS ROAD SECTION

SCALE: N.T.S.



② EXPANSION PAD CROSS SECTION

SCALE: N.T.S.

Mustang Holding LLC  
 Mustang Pad Expansion  
 Pad Cross Section 5/3/24  
 Umiat 010N, 007E, Sec 2

Appendix A: Figure 3/6