

# Jeffrey Chimene

**\*\*ADEQ fails to acknowledge the following items:\*\***

- \* That it cannot issue the proposed AZPDES to South32 without first updating its 20-year-old TMDL for Harshaw and performing a waste load allocation of South32's massive new discharge in order to bring Harshaw Creek's water quality into compliance.
- \* The impairments in Lower Harshaw Creek and the need to prepare a TMDL for Lower Harshaw before it can issue the proposed AZPDES permit.
- \* The true extent of the ongoing discharge to Harshaw and the need to revise the Permit accordingly to include this discharge data in calculating permit limits.
- \* That the outdated TMDL must be updated and a new TMDL study must be completed on the new lead impairment in Alum Gulch.
- \* That ADEQ's workaround proposal to only allow discharge from "historic tailings" into Alum Gulch is absurd and ignores documented facts about how South32 has operated the mine site for years.
- \* That ADEQ must complete a TMDL for the zinc impairment in Sonoita Creek and perform a waste load allocation for the discharges to Sonoita Creek.
- \* That the Hermosa Project is a brand-new mine and that the new facilities should be considered legal "new sources" of discharge.
- \* That the Permit should be revised to acknowledge that the mine is expected to go into production during the life of this Permit.
- \* That the Draft Permit should be revised to require monitoring for manganese and sulfate in order to protect human health and the drinking water systems and infrastructure of the Town of Patagonia and residents of the area.
- \* That the Draft Permit should be revised to require important monitoring to be done at least monthly.