

Celinas Ruth

I am a Human Rights Minister with the Temple Community in Rio Rico, AZ where I live. I also practice law with the nonprofit Global Family Legal Services.

The proposed renewal of the DISCHARGE PERMIT TO South32 Hermosa, Inc. must be taken very seriously as it affects the lives of all in our communities and the County land & water forever.

Fact #1 THIS IS A NEW MINE

1. Some historic mining done on a small portion of the Hermosa Project site does not exempt South32's new mine workings, shafts, structures, and facilities from being considered a "new source" under the Clean Water Act.

Comments:

1. THEREFORE: ADEQ must determine these new facilities are legally "new sources" of discharge – before issuing this renewed Permit.
2. AND ALSO: ADEQ must revise the Permit to acknowledge this mine is expected to go into production during the life of this Permit.
3. AND MOST important: As a new source, the mine is subject to all modern performance standards & requirements of the Clean Water Act.

Fact #2 MANGANESE AND SULFATE ARE PRESENT.

2. ADEQ is allowed to revise the Permit & monitor for manganese and sulfate. Both minerals can harm human health and damage or destroy entire water systems. As the Hermosa Project is a zinc, lead, silver, and manganese mine, these contaminants will likely be present in the discharged wastewater.

Comment:

1. THEREFORE: Before issuing a renewed Permit ADEQ must revise the Draft Permit to require monitoring for manganese and sulfate to protect human health, the drinking water systems, and infrastructure of Patagonia & residents in the area.

Fact # 3 MORE MONITORING IS REQUIRED.

3. The Draft Permit contains monitoring requirements for additional testing very infrequently.

Comment:

1. THEREFORE: ADEQ must revise the Draft Permit to require this important monitoring be done at least monthly. But more frequent or random monitoring would be best to adequately protect human health.

The Patagonia Area Resource Alliance (PARA's) is making comments regarding this Draft Permit. By my reference to them, I now request you incorporate their comments into my comments.