

Beth Pirl

ADEQ has ample information showing that Outfall 002 is constructed in Upper Harshaw creek, NOT lower. Upper Harshaw is listed as impaired under the clean water act 303(d) list. Accordingly ADEQ must revise its TMDL before renewing the permit. Additionally ADEQ must acknowledge the impairments in LOWER Harshaw and prepare a TMDL for lower Harshaw creek before issuing the AZPDES permit. ADEQ also must recognize and acknowledge the true extent of the discharge in Harshaw and revise the permit accordingly.

Regarding Alum Gulch, The outdated TMDL must be updated and a new study conducted to investigate the new LEAD Impairment in ALUM Gulch before ADEQ considers issuing a renewed permit.

Sonoita creek: ADEQ must complete a TMDL for zinc impairment prior to renewing the permit. In addition, a waste load allocation for the discharges must be performed so that said discharges will not further contaminate or degrade downstream surface waters.

Finally, ADEQ must determine to classify the Hermosa project facilities to be legal "New Sources" of discharge. It must also be acknowledged that the mine is expected to go into production during the life of the permit. As a new source, the mine must be subject to all modern performance standards and requirements of the clean water act.

To protect public health and guard the safety of drinking water, ADEQ must revise the permit to require monitoring for manganese and sulfate in residential areas of the county. It also must revise the draft permit to require monthly monitoring for detrimental contaminants in both the discharge and the drinking water of residents in Santa Cruz county.

It is my sincere hope that the ADEQ will do all it can to protect residents' health and well-being as well as the ecosystem of the region as it prepares permitting for this mining activity.