

James Notestine

I object to Arizona Department of Environmental Quality's (ADEQ) plan to renew the Arizona Pollutant Discharge Elimination Permit (AZPDES) No. AZ0026387 for South32's Hermosa Project mine. I lived in this area and know it and the history of mining there and the probable damage to Patagonia's water supply. This area should have been included in the Nogales AMA but was excluded for political reasons years ago.

The proposed Permit would allow for dangerous discharges of mine water to Harshaw Creek, Alum Gulch, and Sonoita Creek, threatening the health of local residents and the environment in violation of the Federal Clean Water Act and Arizona's laws relating to surface water quality. The issuance of the Permit is also contrary to ADEQ's own rules which require that ADEQ "act to protect the environment", promote "the protection and enhancement of the quality of water resources", provide for the "prevention and abatement of all water and air pollution"; and "[e]nsure the preservation and enhancement of natural beauty" in our state.

You are not doing your job to enforce the discharge provisions of the Clean Water Act to protect human health and the environment as required by law.

You cannot issue the permit until ADEQ complies with Total Maximum Daily Load (TMDL) rules required by the Clean Water Act so that the contaminated waters of Harshaw Creek, Alum Gulch, and Sonoita Creek can finally be returned to good health. ADEQ's concerted efforts to avoid or trivialize its TMDL obligations in the Permit is astonishing.

Please do not issue this permit and please keep me updated on all aspects of this permit process.