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Organization:

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Comments: Thank you for the opportunity to share a public comment!

In your website, you mention that the Hermosa project in Arizona is the only "advanced project in the US." Can you provide a report reviewing what the NEPA expectations and baselines were, and conduct an analysis? I believe this presents an opportunity to conduct a thorough review over the years and identify process improvements, updating machinery, reviewing standards to lead the effort in minimizing pollution and ecosystem destruction.

Described in the Clean Water Act (CWA), I noticed that the Act lists various considerations, including but not limited to, the age of equipment, production processes, energy requirements, and other appropriate factors. The legislative language clearly indicates that final best conventional pollutant control technology (BCT) effluent guidelines limitations cannot be more stringent than present best available technology economically achievable (BAT) guidelines or less stringent than "best practicable control technology currently available" (BPT) guidelines. Additionally, section 73 of the Clean Water Act of 1977 directs the Agency to review, immediately, all existing final or interim final BAT effluent guidelines for conventional pollutants in those industries not covered in the consent agreement (NRDC v. Train, 8 ERC 2120 (D.D.C. 1976)).

Given that this project is an extension and is building on an existing FEIS process, it presents an excellent opportunity to review the first FEIS approval and assess how the FEIS expectations and plan outcomes have been realized. I am interested in understanding the following topics regarding environmental and public health compliance, tracking, and reporting:

Processes employed

Operating methods

Age of equipment

Engineering aspects of the application of various control techniques

Process changes and mitigation

Non-water quality environmental impacts

Regarding EPA standards, I would like to know how new sources (defined as any building, structure, facility, or installation from which there is or may be any discharge of pollutants) will be measured and reported in terms of preventative maintenance.

Specific questions include:

What is the mitigation plan if infrastructure fails and there is a need for toxic pollution control?

Where will monitoring take place?

What type of monitoring will be used?

How often will monitoring be reviewed by professional staff?

How frequently will these reports be sent to relevant authorities?

What Public Health Emergency Preparedness (PHEP) department are you in direct contact with in case of an emergency. (For example, we want to avoid the Navajo Gold Mine mining spill incident and lack of communication)

Additionally, I seek information on the pretreatment of pollutants into the Patagonia waters and publicly owned treatment works (POTW). Categorical pretreatment standards based on BAT technology apply whether the discharging facility is existing or new. Please share what is South 32's standard.

Your website also states: "We support the objectives of the Paris Agreement and have a long-term goal to achieve net zero greenhouse gas (GHG) emissions across all scopes (i.e., Scope 1, 2, and 3) by 2050. We also have a medium-term target to halve our operational GHG emissions by 2035 from our FY21 baseline."

(<https://www.south32.net/sustainability/climate-change>)

How are you implementing these methodologies into the Hermosa project? Based on your descriptive report, can these methodologies be used to improve mining operations and demonstrate how South 32 is leading the change in reducing GHG emissions and pollutants?

I understand that change is inevitable. I just want us to use the best practicable control technology currently available and the best available technology economically achievable for this mining project. Let's be open to continuous improvement and demonstrate transparency. I look forward to your response and the report. Here to support.

Reference used in this public comment:

Berry, James F.; Dennison, Mark S. (2000) The Environmental Law and Compliance Handbook. McGraw-Hill.