

Excelaron DEIR Comment, Project SCH#2009021025/DRC2009-00002

Martin Petersen

to:

John McKenzie

08/05/2011 02:26 PM

Cc:

HVA Web Master

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Dear Mr. McKenzie:

Thank you for inviting public comment on the DEIR for the above referenced project. Following are my questions and suggestions that are associated with emergency action plans.

The applicant's DEIR contains general language regarding emergency response plans. A project of this magnitude and risk should require a fully developed response plan which is comprehensive and specific to the project. My suggestions for developing an emergency response plan are:

- The plan should be specific rather than generic.
 - Environment details and risks should be cataloged in the plan, with a specific named response to each one
 - Environmental risks should be identified for remediation beyond the period of direct operations, and ownership by Excelaron
 - Every response should be specific and should identify, by name, individuals who are responsible for execution of the response
 - Response should be planned for events which occur during ownership by the applicant, and after ownership by the applicant
- The plan should be developed and approved by stakeholders
 - Stakeholders would be defined as a broad range of people including mineral-rights/non mineral-rights residents, emergency services agencies, communication agencies, emergency plans experts, and others who may be affected by potentially catastrophic events
- Funding sources for remediations and other emergency responses should be secured prior to commencement of operations
 - Sufficient funding should be guaranteed before the applicant is authorized to begin any work on the project
 - Funding should be 'in hand' for current operations
 - Funding should be 'in hand' for events which may occur after the project has ended
 - Funding should be 'in hand' regardless of Excelaron corporate existence
- The applicant should be restricted to sell (or a new owner restricted to buy) without this plan transferred as a condition of the ownership change
 - This would include all forms of transfer, such as sale to other companies or split-offs to other divisions of Excelaron

Thank you.

Martin Petersen

Susan Pilj

Homeowners

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Copies: HVA