



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

Martin Petersen ○ John McKenzie

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Cc: HVA Web Master

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 groundwater monitoring.

The applicant has indicated that scheduled groundwater monitoring will be implemented, and that the project will be abandoned in the event that contamination is detected.

Due to the potentially sever environmental/human consequences of groundwater contamination to businesses and individuals within the Huasna Valley, and potentially further, my suggestions are:

- Request the applicant to perform a study, and report findings, which indicate how much damage is incurred by the time when contamination is detected:
 - Contamination extent is understood within probabilistic bounds, based on contamination amounts as discovered at the sample points
 - The study will be published so that the public understands how much damage has been done, once that it has been detected
 - It is understood that contamination will occur at different levels, at the time when it is discovered by sampling. Remediation activities should be stipulated for each level of contamination
- Remediation plans are developed for each contamination level within the bounds:
 - The plans are specific and unique to this particular project
 - The plans are specific in that they will have different remediation activities based on the level of contamination
 - The plans are approved by stakeholders and implemented by the applicant as condition of project commencement
 - Commencement should be defined as any activities associated with drilling, or preparing to drill
 - The plans are re-assessed and re-approved by stakeholders annually
 - Remediation costs are established so that corrections are achievable through applicant-supplied funding
 - Remediation costs should be assessed annually as part of the stakeholder plan approval procedure
 - The county should be accountable to monitor that the remediation plans, and required funding levels are secured, each year by a defined date
- Failure to comply with these planning and funding provisions will result in sanctions
 - Sanctions determined by county and stakeholders
- Stakeholders are defined as a group of diverse representatives from mineral-rights, and non mineral-rights individuals, with objective of fair and diverse representation.

Thank you.

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