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Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th floor
Sacramento, CA 95814

Re: Initial Comment Letter – Statewide Mercury Policy – CEQA Scoping
Comments

Dear Ms. Townsend and Hon. Members of the Board:

The purpose of this initial comment letter is to assist in identifying a significant contribution that the mining community can make toward the physical removal of elemental mercury (Hg) from California waterways and to request that the Board consider developing a policy, a permitting system and regulations that would enable the mining community to thus assist in the removal of Hg from California's waterways.

The Concept: It is well known that Hg amalgamates with gold (Au). It also is well known that gold recovered from numerous locations throughout the state sometimes is coated with Hg. This is so because gold acts as a special type of "mercury sponge". Once the Hg binds to a gold flake it sticks to it and cannot easily be removed except through a process such as smelting. Thus, the removal of mercury contaminated gold flakes from fresh water gravels results in a net reduction of Hg in California's waterways. Small-scale suction dredges operated by placer gold miners are an ideal tool for maximizing the removal, and net reduction, of Hg from waterways at no public expense.

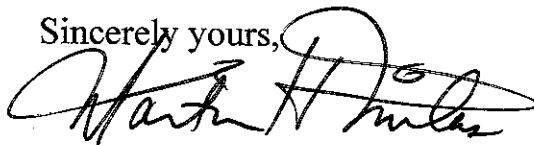
Studies Needed: Methylmercury cannot be created in the absence of elemental Hg. Thus, every gram of elemental Hg that is removed from waterways preempts the formation of a like quantity of methylmercury. The Board may be concerned, however, that the very act of removing Hg through the use of small-scale suction dredges may be more harmful than helpful. This is so because there has been recent speculation circulating that stirring the gravels may result in the flouring of the mercury, which in turn may morph into methylmercury. Therefore, an appropriate experimental field study will corroborate whether such speculation is justified. Even assuming that such a study establishes that a minuscule amount of Hg becomes floured, such a study nonetheless would result in an objective quantification of a cost-benefit ratio to put into better perspective whether the minuscule amount of such flouring is sufficiently mitigated (or off-set) by the substantial volumes of elemental Hg that are forever removed from the waterways – and, thus, rendered incapable of forming methylmercury.

A Policy And A Permit System Needed: The systematic removal of elemental mercury from California waters in the shortest timeframe possible constitutes a worthy objective. The small-scale mining community can help in this effort. What is needed is the development of a statewide policy regarding the use of suction dredges that will take advantage of the free labor and the public benefit resulting from the use of privately financed dredging equipment and operations. In order to enable the small-scale mining community to work with the Water Board as a team player will require the creation of a policy and a regulatory framework within which mercury will safely be removed from waterways.

Subsequent Comment Letter: The Prospectors Club of Southern California stands ready to contribute in any reasonable way to the development of the above referenced objectives. A subsequent comment letter, therefore, may be forthcoming.

Thank you for this opportunity to participate in the current scoping process.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Martin H. Milas". The signature is fluid and cursive, with a large initial "M".

Martin H. Milas, President