

To whom it may concern:

The former Flambeau Mine has NOT met all reclamation requirements at the Industrial Out-lot despite continuing copper contamination of Stream C there. This puts the lie to the original decision that no contamination would occur if this mine were allowed to operate and that remediation would be complete without any heavy metal pollution making its way into any waters. Remediation is becoming a huge issue right now because the DNR and the company are accountable to ensure to Wisconsinites that no pollution enters any waters around that former mine site ever, we are demanding that guarantee be backed by sincerity and action, not falsehoods and clever trickery.

Water quality monitoring of Stream C, especially the Industrial Out-lot where the former mine activities occurred where rail train cars were loaded, must be required as a condition of a revised mining permit in order to necessarily obtain measure copper concentrations in the living stream. This water quality information is required as the first step in deciding on the need for additional remediation work which can only follow the first step, as common sense tells.

Ignoring ongoing copper pollution of Stream C caused by former mine activities is an indicator of a major cover-up, in my opinion. The DNR neglect in mandating surface water quality monitoring of the stream is incompetent or worse. What else was covered up?

The people of Wisconsin demanded that the Flambeau Mine not be permitted from the start because environmental harm was predictable. This was a sulfide ore open pit mining facility that crushed sulfide ores on site. Waste rock filled the open pit after the mining operations ended.

The Flambeau Mine is not an example of a mine that did not cause environmental damage. I absolutely want this to be part of the record. I absolutely want the DNR to agree that they will never attempt to lie in the future that this mine did not cause environmental damage. That was the big issue when DNR conducted its EIS discovery and determinations decades ago.

The soil in the Industrial Out-Lot is contaminated and the fact is that this contamination is flowing into Stream C. It is unacceptable for the Wisconsin DNR to use a switch and bait tactic of distraction blaming its own regulatory misdeeds starting long ago early in the exploratory Environmental Impact Statement due process requirements as a bogus reason to not address the copper contamination now going into Stream C from the former mining operations in this way. The DNR had plenty of citizen and NGO input prior to approving this mine with extreme concerns that this mine would contaminate nearby pristine waters. Nobody questioned its priestliness then, but I am certain that more than sufficient testimony at that time demanded that the DNR do sufficient baseline testing of water, air, and soil qualities before any mining operations were permitted. Baseline testing was identified by the DNR as being required. After this acceptance of the public will to keep Wisconsin's natural resources pristine for the future generations, failure to properly test for baseline water, air, and soil quality, particularly Stream C, prior to approving mine development, was illegal and unacceptable "convenient" neglect.

An investigation should be launched as to exactly how this neglect occurred after the need for this very thorough and rigorous advance testing had been pointed out in multiple highly intelligent citizen EIS comments that absolutely didn't want this guaranteed-to-pollute mine to be opened from the start. This was a very emotional topic. These comments were even more concerned about the mining company

skirting its obligations to remediate ALL contamination after the profit project ended and then stick these costs to the Wisconsin taxpayers, and we were told such obligations would be met with the high-quality oversight. I was there. I filed comments that addressed these matters and so did dozens of my friends and acquaintances.

There was a lot of serious talk about this residual long-term pollution by dangerous heavy metals before this mine began its development, and it is absolutely unacceptable that the DNR got the main content of concern wrong. It is unacceptable that the DNR did not follow through on every scientific comment made, when they claimed to have done so at that time in the past. We used to have a Public Defender who sued State agencies for failure to do their job properly, especially when she won all the cases where people made statements in public hearings and in public testimony that was improperly addressed, such as neglect becoming illegal under such circumstances. When concerns were expressed in public testimony as part of DNR's due process, the DNR holds the burden of either addressing those concerns in the EIS or explaining why the concerns were not addressed in the EIS. To do less than this was always improper conduct when a Public Defender looked over the shoulders of the State employees, and to do less than that now seems to me to be just as improper conduct as it was then. I know this to be a fact because that Public Defender frequently used my notes from multiple public hearings to help win her lawsuits to force regulators to do their job correctly by proving who said what, when, and where, to what regulators. It is time we resume public EIS hearings where all the public gets to hear what the rest of the public is saying, because anything less is opening the gates to non-transparency that harms the public interests.

I'm not in favor of the new carbon rules that emasculate true scientific inputs into global climate change. Instead, when everyone looks at the weather science that accurately predicted weather always for a minimum of the next 72 hours that was being used prior to the Rockefeller's Rio De Janeiro convention where they unscientifically began to pretend that carbon dioxide was a problem, when all the vegetative life forms require carbon dioxide for their vitality and to recycle oxygen for humans and all mammals to breathe for their vitality, which becomes the greatest mind-boggle because it was all a big lie to regain control over the masses and depopulate the world. The real cause of changes in the climate cycle can be found not only by listening and reading Arthur Firstenberg's "Rainbow Warrior" and other writings, but by going back to the meteorology textbooks written by academia in the 1960s which explains that weather changes are complicated, but that they always center on changes in the ionosphere, sun spot activity, the Magnetosphere that protects the earth's ionosphere from the sun's winds full of photons that only touches earth at true magnetic poles, and the ion exchange involving lightning transfers to the Schumann Resonance, which then makes evident that Electromagnetic Frequencies, 5G, wifi, and the HAARP systems play a much larger role in climate change than carbon dioxide possibly can play. If public hearings had continued to be in public, we'd all have heard about these things and researched and debated them, instead of sequestering falsely and unscientifically into polarized groups that oddly develop impossible but observable political partisanship that are too uniform, until the propaganda game is questioned for a private agenda against the public's best interests. It is time to hold public hearings in public once again because we are not all polarized, but we have myriads of uncountable viewpoints of great difference that must be considered in order to truly determine the public's best interests.

Enough of the largest picture to be considered, and back to the details at hand: It is unacceptable that the DNR today continues to get this wrong. The baseline was pristine as far as I'm concerned and as far as the beliefs of most of the people that made public comments decades ago pertaining to this specific mine. Prove that it wasn't. Prove where any contamination could have possibly come from before that railroad spur was built. The burden of proof is not on the people, but on the company and the DNR to prove any contamination that existed when all indicators showed it to be pristine prior to the mining operation having any ground broke at all. The burden of proof is on the company and on the regulators. If the company had doubts about this, it should have tested this critical area which would be ground zero in contamination due to its key role in all crushed rock moving through this centralized location in order to get put on trains. To develop doubts this late in the process after the mining operations and the profits are no longer be made reeks of falsehoods and dishonest trickery.

It is illegal for the DNR to not follow through on documenting the quality of pristineness, after the DNR was told to do that by uncountable public comments. The time lag is irrelevant, because that time lag was known when the EIS statement was prepared, as so much of the bulk of the discussion focused on the time after the mine closed and the profits coming from that mine ended.

Obviously the DNR admits that wrongful past action and cleverly uses that past usurpation of the people's trust in the EIS process creating mandates for the DNR staff to follow with accountability, but in this tricky and deceptive way, the DNR attempts to wiggle out of its accountability to all the people who testified about the necessity to have a rigorous and thorough baseline of the air, water, and soil on the mining property prior to development and around the area with every water resource in particular baseline measured. The DNR and the company remain accountable to clean up what everyone predicted would be the most contaminated area—the grand central station, in effect, for the train car loading. We are not stupid like this reads between the lines.

I'd like to remind the DNR almost all Wisconsinites opposed the development of this mine, except those few benefiting from special interests involving this mine's development. Specifically it was very well known in the public sector and published widely in MainStreamMedia that the contamination lifetime would extend far into the future compared to the very short operations timeframe. That was the hottest sets of comments at the public hearings, and everybody knows that, including the DNR obviously. Huge numbers of institutional environmental activists were involved as well as the Indian tribes who have excellent institutional memory.

We can no longer tolerate favors and bribery of government regulators that seem to be participating in widespread revolving doors with the industry that the taxpayers have paid them to regulate for the protection of health and safety of the taxpayers who are the citizens, if any of that occurred while the EIS comment process was developing. This process was legally bound to be done under the rules of due processes, not corruption. The focus of the pollution was, in effect, grand central station at the mine. This is too big of an error to not have underlying corruption that should be investigated and punished with jail time when the evidence emerges. Errors like this just do not happen coincidently.

The record's evidence connects the Industrial Out-lot and Stream C. This is not something the Wisconsin DNR can dismiss. The DNR approval of the mining company's request to stop monitoring the surface water of Stream C in 2019 constitutes favoritism to the mining company against the best

interests of the people of Wisconsin who overwhelmingly demanded complete mitigation---not stopping the monitoring which instead is an indicator that the DNR didn't intend to require the mitigation for pollution that was required for the best interests of the Wisconsinites and neighbors. Why? The DNR has allowed in this way for this mining company to do unwanted polluted and to be a bad neighbor and to destroy Wisconsin's precious natural resources. This is exactly what all the Wisconsinites said repeatedly over and over again and again at the public hearings that composed the instructions and mandates for the EIS development and accountability. Those who did this must account for why they did this betrayal to the public trust at each step that such betrayal occurred.

The 2012 assessment was considered in deciding to add Stream C to the U.S. Environmental Protection Agency's Impaired Waters List for Wisconsin in 2014. Water quality information submitted by the company in 2018 continued to show elevated levels of copper in Stream C and it stayed on the list.

Under the circumstances of potential fraud going back years, the DNR is obligated to amend the Revised Mining Permit and require the mining company to monitor the water of Stream C in addition to its current requirements of mine site groundwater monitoring.

The DNR is obligated under the citizen's original testimonies to require remediation of all heavy metal contamination of the soil in the Industrial Out-lot, the grand central station for loading piles of crushed rock onto freight train cars where the largest mess was made. Unquestionably, this was the location of the worst surface release of hazardous metals into the environment, especially inorganic copper, which was found to be elevated in the soil, which then finds its way into the water. It was unacceptable that the company did not clean up the soil in 2005, and it was improper for the DNR as the regulator supposed to be protecting the public interests to not be doing its job, which is to guarantee that all pollution is mitigated from the soil to not move into the water. This was the DNR's promise after hundreds of people demanded decades ago that this be most carefully watched by the DNR as the accountable regulator, because Wisconsinites never wanted this mine in the first place. Something is wrong with our laws, when our due process refuses to allow us to best protect us by banning such mines, but even worse, when we are promised that the regulators will protect those pristine water resources around the Flambeau Mining Company both during operations and afterwards, but now this has become a falsehood—a clever lie with layers of shifts throughout time to convert the pristine promise into heavy metal pollution by word games.

The DR is obligated to actively require water quality monitoring of Stream C by the Flambeau Mining Company and to investigate past and current releases of hazardous materials to the environment—the air, soil, and water—including from ore pilings and loading at Industrial Out-lot and to order complete remediation of any and all copper or zinc contamination of soil finding its way into Stream C and polluting Stream C.

Sincerely,

Susan Michetti

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