



TOWN OF DEWEY-HUMBOLDT
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STATEMENT TO THE PUBLIC FROM THE TOWN OF DEWEY--HUMBOLDT—01/27/2024

As directed and overseen by the Town Council, the Town's Environmental Advisory Committee has been working with EPA to ensure that the environmental remedy EPA is designing and intends to implement protect Town residents from potentially unhealthy and unsafe exposures to residual waste from historic operations of the Iron King Mine and Humboldt Smelter.

Recently, an EPA representative advised a Town resident that, after EPA sampling of the resident's property, the property was unsafe for continued occupancy and that, at EPA's suggestion, the Town was considering rezoning the resident's property and neighborhood to prevent further residential use. Not stated to the resident was that such a rezone would also allow EPA to apply non-residential (or higher) cleanup standards at and about the resident's property and thereby reduce EPA's cleanup costs.

While EPA had, just several days before, requested that the Town consider rezoning of the resident's property and neighborhood, the Town not only was not considering such a rezone, it had clearly assured the resident that the property and neighborhood would not be rezoned. The Town, through its Environmental Advisory Committee, has made it very clear to EPA, state environmental authorities, and Town residents that the Town would not make any land use decision that results in the taking of residential property from one of its residents, which would be the result of EPA's rezone request. Land use regulation is the exclusive prerogative of the Town, not EPA or any other federal or state agency.

At the recommendation of the Town's Environmental Advisory Committee, the Town Council has directed the following action plan:

- 1) Suspend efforts to amend the General Plan and not recommend that Town residents sign an access agreement with EPA until the Town obtains a better understanding of EPA's residential soil cleanup objectives, EPA utilizes a form access agreement acceptable to the Town, and the Town establishes greater confidence in what should be EPA's first objective: protecting the health and safety of Town residents.
- 2) Implement an aggressive education program with public health experts from the University of Arizona, the Arizona Department of Health Services, and the Yavapai County Community Health Services so that Town residents are advised by independent, unbiased public health officials of the risk to their health from uncontrolled exposure to mine and smelter waste residuals and have the tools to address and mitigate the risk.
- 3) Initiate a broad soil sampling program led by the Town for the purpose of : (i) informing the Town so that the Town can competently and independently review and comment on EPA's soil investigation and clean up program and, more importantly, (ii) identifying and communicating to Town residents current health risks.
- 4) Engage the Arizona Department of Environmental Quality (ADEQ) to take steps to address the Town's environmental and public health concerns.

Although the Town appreciates EPA's readiness to assess and determine a Town-wide remedial solution, the Town is not willing to put into jeopardy the property rights of its citizens. The Town is committed to (i) ensuring appropriate and lasting protection for Town residents in response to fact-based health risk concerns, and (ii) encouraging EPA and ADEQ to address their respective mission responsibilities without placing additional burden on the Town.