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March 12, 2012

Nevada Division of Environmental Protection
Bureau of Corrective Actions
901 S. Stewart Street, Suite 3005
Carson City, Nevada 89701-5249

VIA: Electronic Mail

ATTN: Jack Yates

CC: Cindi Byrns (Comstock), Joe McGinley (MGA), Carolyn McIntosh (Patton Boggs), David Friedman (NDEP), Jeff Collins (NDEP)

RE: ADDENDUM #6 TO THE COMSTOCK MINING INC., CARSON RIVER MERCURY SUPERFUND SITE SAMPLING AND ANALYSIS PLAN

Dear Mr. Yates:

On behalf of Comstock Mining Inc. (Comstock), McGinley and Associates (MGA) is providing this request to install additional borings for geotechnical purposes. Comstock proposes to install 25 additional geotechnical borings at and near areas where environmental sampling has already been conducted. These geotechnical boring locations are shown on the attached figure and are clouded. The nomenclature for all geotechnical borings begins with "PH-".

Specifically, environmental sampling, per the NDEP-approved Sampling and Analysis Plan (SAP) was conducted throughout the Lucerne Pit and Hartford Mill sites. All of the available data for all analytes are presented on the attached Tables 1-3. Any data that exceeds the NDEP Screening/Action Levels is highlighted in yellow. At all locations and all depths, mercury and lead are below the NDEP's Screening/Action Levels.

Arsenic, however, exceeds the NDEP Screening/Action Level of 32 mg/kg at several locations and depths, these locations are highlighted in yellow on the attached Table 3.

For the borings that are proposed to be installed, it is expected that the 0-6" bgs data will represent the highest likelihood of generating dust. For this depth increment the data are presented on the attached figure for the polygons that contain the proposed geotechnical borings. All of these data are within the range of background concentrations cited within the NDEP's Screening Action Level for Arsenic in Surface Soil in the Carson River Basin document. This document notes that background concentrations of arsenic ranged as high as 73 mg/kg in the data collected. The maximum concentration presented on the attached figure is 54 mg/Kg. The NDEP's selected Screening/Action Level of 32 mg/Kg represented the 95th percentile of the data set.

As an additional line of evidence, MGA has conducted a quantitative health risk assessment (HRA) for the arsenic data. This HRA was provided as Attachment 1 to MGA's February 10, 2012

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submittal. MGA demonstrated via a variety of scenarios that the arsenic concentrations present at the site would not present an adverse health risk to off-site residents.

Additionally, MGA believes that the absence of concentrations above the pertinent NDEP Screening/Action Levels for the other contaminants of concern (COCs) is a strong line of evidence that this portion of the site is not impacted by historic mine or mill activities. The site history and conceptual site model (CSM) discussed in the NDEP's Carson River Mercury Superfund Site Long-Term Sampling and Response Plan (LTSRP) indicates that the COCs should occur together. Furthermore, the LTSRP notes that both lead and arsenic should have been concentrated in the wastes along with the mercury. It is MGA's belief that the presence of arsenic above the NDEP's Screening/Action Level with the absence of elevated levels of mercury and lead indicate that the arsenic values are representative of background conditions. This will be supported further once the background sample data is received from the laboratory.

The purpose of this request is to allow Comstock to install geotechnical borings. Regardless of the background data, the absence of elevated levels of mercury and lead indicate that the sole COC that may be present is arsenic. The quantitative HRA demonstrates that the drilling activities will not adversely affect off-site residents. Comstock will conduct drilling activities utilizing a core drill that operates under wet conditions. In addition, water trucks will be utilized to water the access roads and drilling locations. This methodology will allow Comstock to maintain adequate dust control. In addition, Comstock has demonstrated this ability via the implementation of the scope of work described in MGA's February 10, 2012 and February 28, 2012 submittals to the NDEP. Also, clean fill will be placed at any location where arsenic is greater than 32 mg/Kg per NDEP's February 23, 2012 letter, as detailed below.

The specific borings and their related arsenic concentrations are listed below as well as presented on the attached figure. There is additional data posted on the figures for context for adjacent locations where drilling is not proposed.

Geotechnical Boring Name	Arsenic Concentration (mg/Kg)	6" Clean Fill Required
PH-HL-92	20.8	No
PH-HL-29	18.3	No
PH-HL-111	17.2	No
PH-HL-128A/B	17.3	No
PH-HL-90A/B	16.7	No
PH-HL-126A/B	11.2	No
PH-HL-116	16.4	No
PH-GT-09	30	No
PH-GT-12	16.1	No
PH-JL-56	25.1	No
PH-JL-54/63	26.4	No
PH-JL-59/60	26.6	No
PH-JL-21	28.6	No
PH-JL-23A/B	27.8	No
PH-JL-27	43.4	Yes
PH-JL-28A/B	44	Yes

PH-JL-32	54	Yes
PH-GT-11A/B	28.1	No
PH-BK-29A/B	29.3	No
PH-GT-13A/B	23.2	No
PH-BK-19A/B	31	No
PH-BK-20A/B	26.7	No
PH-BK-27A/B	22	No
PH-BK-21A/B	28.2	No
PH-BK-23A/B	24.6	No

Comstock requests to initiate the installation of these borings immediately after this request is approved by the NDEP. This request is intended to serve as NDEP's notification as required by the SAP. The drilling is expected to take approximately four weeks.

McGinley and Associates, Inc. appreciates the opportunity to submit this addendum and we look forward to working with you on this project. Should you have any questions regarding this addendum, please contact us at (702) 260-4961 or at brakvica@mcgin.com. If this request is acceptable to you, please advise us at brakvica@mcgin.com.

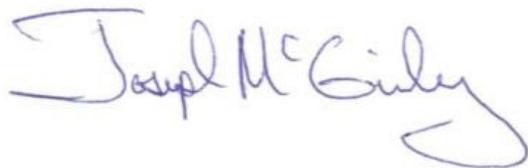
Respectfully submitted,
McGinley and Associates, Inc.



Brian A. Rakvica, P.E., C.E.M. #2260, Exp. Date 09/21/12
Senior Project Manager

Reviewed by:

I hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession, and to the best of my knowledge, comply with all applicable federal, state and local statutes, regulations and ordinances.



Joseph M. McGinley, C.E.M. #1036, Exp. Date 11/12
Principal

Table 1 - Lucerne Pit and Hartford Mill Sites Mercury Data

Mercury	
Sample	Result (mg/kg)
COM001-SS-PHGT-09-18-24	0.059
COM001-SS-PHGT-09-12-18	0.063
COM001-SS-PHGT-09-6-12	0.072
COM001-SS-PH-GT-12	0.086
COM001-SS--JP1	0.105
COM001-SS-PH-HL-126-0-6	0.111
COM001-SS-PH-HL-116	0.121
COM001-SS-PH-HL-29-0-6	0.124
COM001-SS-PHGT-09-0-6	0.126
COM001-SS-PH-GT-7	0.127
COM001-SS-PH-PL-93AB	0.155
COM001-SS-PH-HL-90AB	0.161
COM001-SS-PH-HL-128AB	0.167
COM001-SS-PH-HL-111	0.21
COM001-SS-PHHL-92-0-6	0.213
COM001-SS-PH-HL-92-0-6	0.215
COM001-SS-PH-JL-56	0.237
COM001-SS-PHJL-59/0-6	0.242
COM001-SS-PH-PL-28	0.275
COM001-SS-PHJL-21-0-6	0.283
COM001-SS-JP2	0.307
COM001-SS-GL2	0.307
COM001-SS-JP-4-0-6	0.359
COM001-SS-PH-JL-54/63	0.38
COM001-SS-JP-03-0-6	0.381
COM001-SS-PHJL-23-0-6	0.397
COM001-SS-PHJL-27-0-6"	0.49
COM001-SS-JP-5-0-6"	0.637
COM001-SS-PHJL-28-0-6"	0.655
COM001-SS-PH-BK 29A	0.822
COM001-SS-PHJL-32-0-6"	0.852
COM001-SS-GL4-0-6"	0.884
COM001-SS-PH-GT 11A	1.01
COM001-SS-GL3	1.45
COM001-SS-PH-BK-20	1.77
COM001-SS-PH-GT 13A	1.98
COM001-SS-PH-BK-23AB	1.99
COM001-SS-GL1	2.16
COM001-SS-PH-BK-19AB	2.25
COM001-SS-PH-BK-27A	2.33
COM001-SS-PH-BK-21AB	3.85

Notes:

NDEP Screening/Action Level = 80 mg/Kg

Table 2 - Lucerne Pit and Hartford Mill Sites Lead Data

Lead	
Sample	Result (mg/kg)
COM001-SS-PHGT-09-18-24	13.8
COM001-SS-PH-JL-56	17.9
COM001-SS--JP1	18.2
COM001-SS-PH-GT-12	18.7
COM001-SS-GL2	18.7
COM001-SS-PH-PL-28	20
COM001-SS-PHJL-59/0-6	20.3
COM001-SS-PH-BK 29A	21
COM001-SS-JP2	22.5
COM001-SS-PHGT-09-6-12	23.4
COM001-SS-PH-GT 13A	23.7
COM001-SS-PH-JL-54/63	23.8
COM001-SS-PHJL-21-0-6	24.5
COM001-SS-PH-GT 11A	25.4
COM001-SS-PHGT-09-12-18	27.5
COM001-SS-GL3	27.8
COM001-SS-PHGT-09-0-6	27.8
COM001-SS-PH-PL-93AB	29.1
COM001-SS-JP-03-0-6	29.4
COM001-SS-JP-5-0-6"	33.1
COM001-SS-JP-4-0-6	34.8
COM001-SS-GL4-0-6"	35.8
COM001-SS-PHJL-27-0-6"	36.1
COM001-SS-PH-HL-116	36.4
COM001-SS-PH-BK-23AB	36.7
COM001-SS-PHJL-28-0-6"	36.8
COM001-SS-PH-GT-7	38.2
COM001-SS-GL1	38.5
COM001-SS-PHJL-32-0-6"	43
COM001-SS-PH-HL-126-0-6	47
COM001-SS-PH-BK-21AB	48.8
COM001-SS-PHJL-23-0-6	49.2
COM001-SS-PH-HL-90AB	51
COM001-SS-PH-HL-128AB	51.1
COM001-SS-PHHL-92-0-6	51.5
COM001-SS-PH-BK-27A	52.1
COM001-SS-PH-BK-19AB	55.8
COM001-SS-PH-HL-111	57.6
COM001-SS-PH-HL-92-0-6	68
COM001-SS-PH-BK-20	72.6
COM001-SS-PH-HL-29-0-6	83

Notes:

NDEP Screening/Action Level = 400 mg/Kg

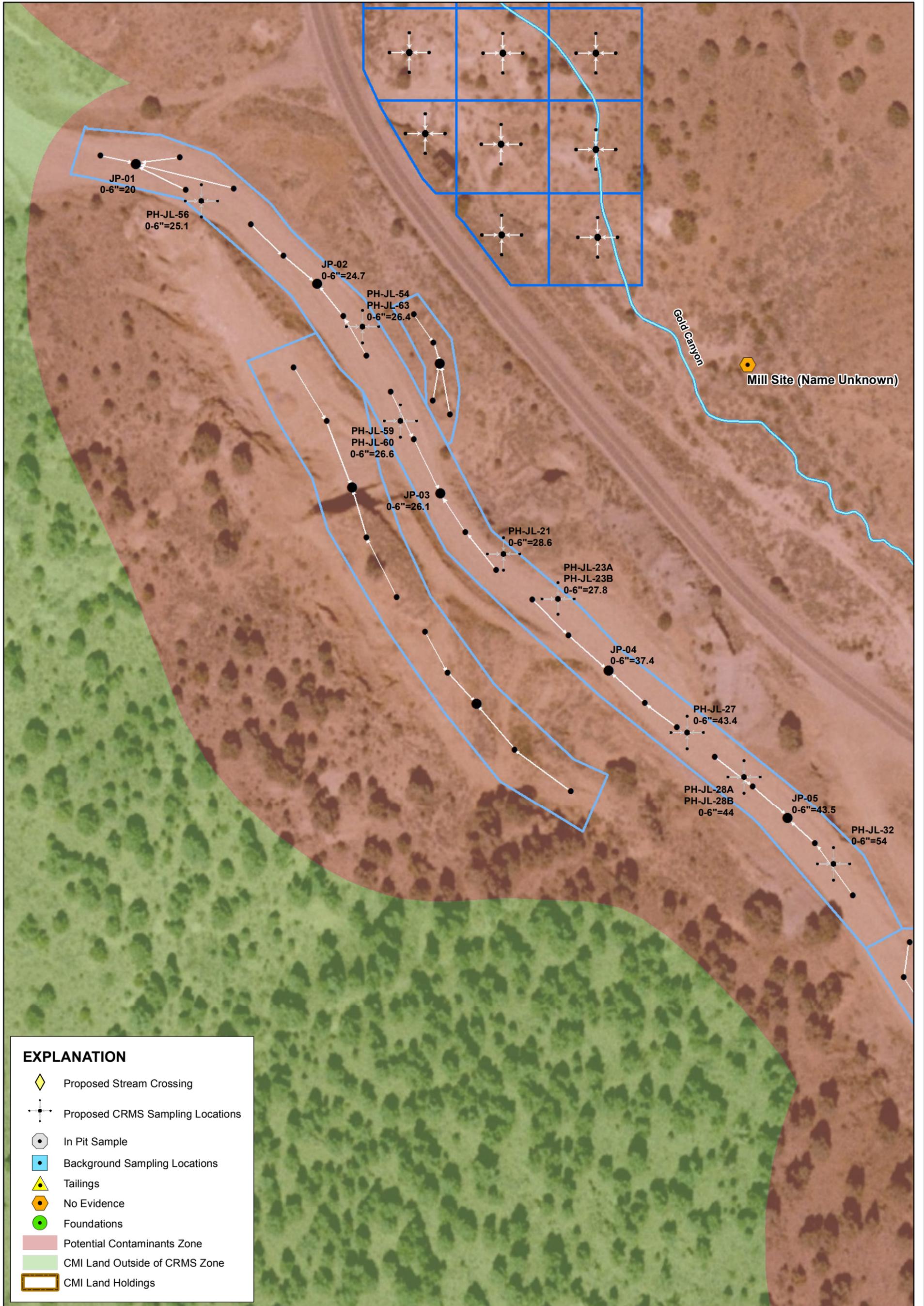
Table 3 - Lucerne Pit and Hartford Mill Sites Arsenic Data

Arsenic	
Sample	Result
COM001-SS-PH-HL-126-0-6	11.2
COM001-SS-PH-PL-93AB	12.8
COM001-SS-PH-GT-12	16.1
COM001-SS-PH-HL-116	16.4
COM001-SS-PHGT-09-18-24	16.4
COM001-SS-PH-HL-90AB	16.7
COM001-SS-PH-HL-111	17.2
COM001-SS-GL4-0-6"	17.2
COM001-SS-PH-HL-128AB	17.3
COM001-SS-PH-HL-29-0-6	18.3
COM001-SS-PH-HL-92-0-6	18.4
COM001-SS-PHGT-09-6-12	18.9
COM001-SS-PHGT-09-12-18	19.1
COM001-SS--JP1	20
COM001-SS-PHHL-92-0-6	20.8
COM001-SS-PH-BK-27A	22
COM001-SS-PH-GT 13A	23.2
COM001-SS-PH-BK-23AB	24.6
COM001-SS-JP2	24.7
COM001-SS-PH-JL-56	25.1
COM001-SS-JP-03-0-6	26.1
COM001-SS-PH-JL-54/63	26.4
COM001-SS-PHJL-59/0-6	26.6
COM001-SS-PH-BK-20	26.7
COM001-SS-PHJL-23-0-6	27.8
COM001-SS-PH-GT 11A	28.1
COM001-SS-PH-BK-21AB	28.2
COM001-SS-PHJL-21-0-6	28.6
COM001-SS-PH-BK 29A	29.3
COM001-SS-PHGT-09-0-6	30
COM001-SS-PH-BK-19AB	31
COM001-SS-GL2	33.5
COM001-SS-PH-PL-28	34.6
COM001-SS-GL1	35
COM001-SS-JP-4-0-6	37.4
COM001-SS-PHJL-27-0-6"	43.4
COM001-SS-JP-5-0-6"	43.5
COM001-SS-PHJL-28-0-6"	44
COM001-SS-PH-GT-7	45.8
COM001-SS-GL3	48.3
COM001-SS-PHJL-32-0-6"	54

Notes:

NDEP Screening/Action Level = 32 mg/Kg

Shading Indicates a data point greater than the NDEP Screening/Action Level



EXPLANATION

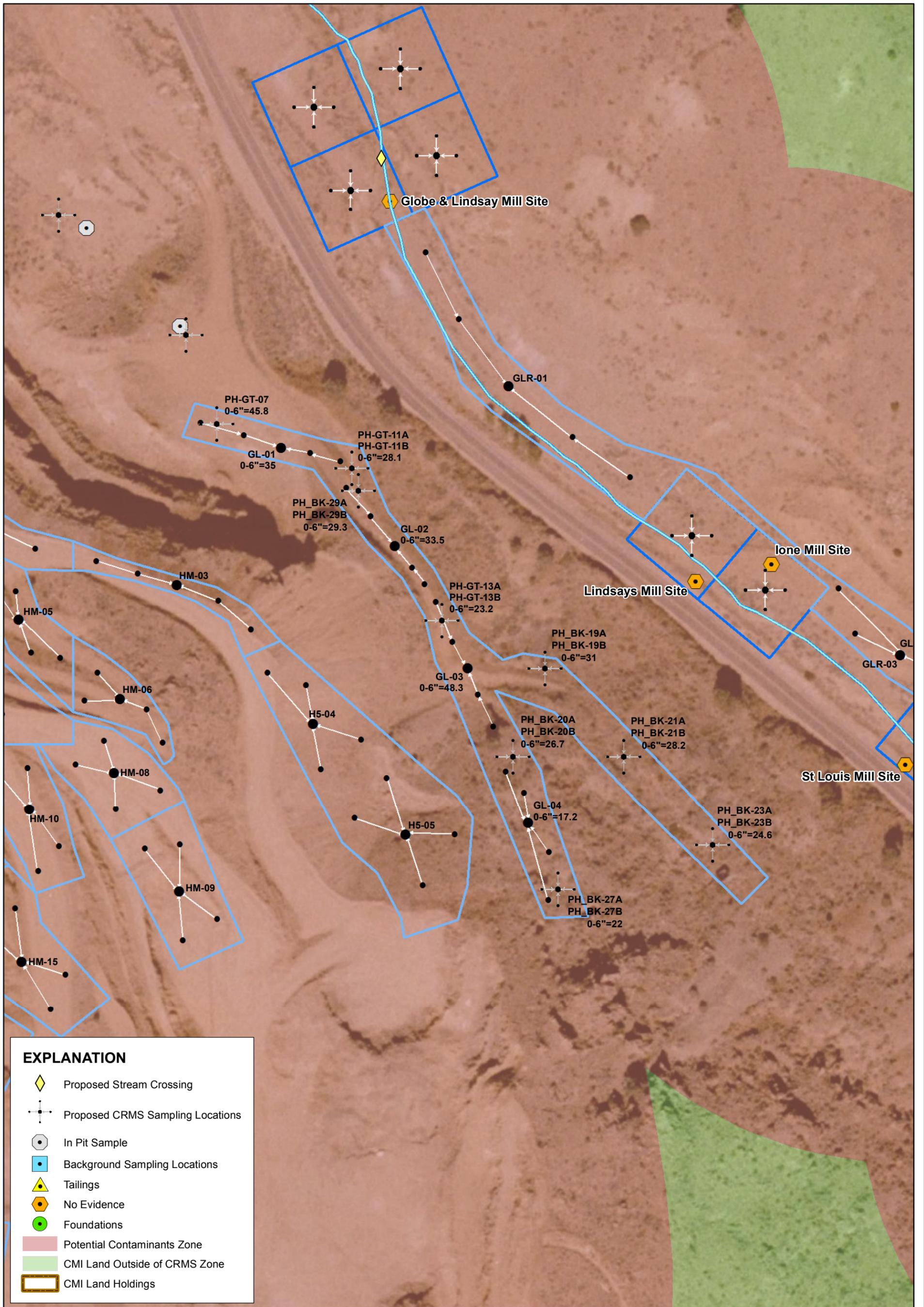
-  Proposed Stream Crossing
-  Proposed CRMS Sampling Locations
-  In Pit Sample
-  Background Sampling Locations
-  Tailings
-  No Evidence
-  Foundations
-  Potential Contaminants Zone
-  CMI Land Outside of CRMS Zone
-  CMI Land Holdings



COMSTOCK MINING INC <i>Revitalizing the Comstock</i>		
Comstock		
DESIGN: -	DRAWN: BCH	REVIEWED: -
SCALE: 1 inch = 100 feet	DATE: 3/12/2012	
FILE: Addendum_6_Fig_1_20120312_BCH.mxd		

DRAWING TITLE:
**Justice Pit Site Arsenic
 Surface Soil Concentration
 (mg/Kg)**

Comstock Mining, Inc.	
CRMS Sample & Analysis Plan	
ISSUED FOR: -	
DRAWING NO. Figure 1	REVISION NO.
SRK JOB NO. 360000.020	A



EXPLANATION

- Proposed Stream Crossing
- Proposed CRMS Sampling Locations
- In Pit Sample
- Background Sampling Locations
- Tailings
- No Evidence
- Foundations
- Potential Contaminants Zone
- CMI Land Outside of CRMS Zone
- CMI Land Holdings

N

Feet

0 100

COMSTOCK MINING INC
Revitalizing the Comstock

Comstock

DESIGN:	DRAWN: BCH	REVIEWED:
SCALE: 1 inch = 100 feet	DATE: 3/12/2012	
FILE: Addendum_6_Fig_3_20120312_BCH.mxd		

DRAWING TITLE:

East Hartford Pit Arsenic Surface Soil Concentration (mg/Kg)

Comstock Mining, Inc. CRMS Sample & Analysis Plan

ISSUED FOR: -	REVISION NO. A
DRAWING NO. Figure 3	
SRK JOB NO. 360000.020	