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RESULTS OF ENVIRONMENTAL FINDINGS FOR THE WHITE HOUSE ACCESS ROAD

Comstock Mining Inc. Soils Assessment Areas Affected by the Carson River Mercury Site Gold Hill, NV

Prepared for:

*Comstock Mining Inc.
1200 American Flat Road
Gold Hill, Nevada*

| Soil and Groundwater Remediation

| Regulatory Compliance

| Environmental Audits

| Hydrogeology

| Hazmat Response

June 11, 2012

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1. INTRODUCTION AND EXECUTIVE SUMMARY

McGinley and Associates, Inc. (MGA) has prepared this Report of Findings for assessment activities conducted at the Comstock Mining Inc. (Comstock) site located in Gold Hill, Nevada. This Report addresses a specific area of the Comstock site (Site) that the Nevada Division of Environmental Protection (NDEP), Bureau of Corrective Actions (BCA) identified as a potential risk zone within the Carson River Mercury Superfund site (CRMS). The potential risk zone included for discussion within this report is the Comstock site's access road from route 342 to the Administration and Processing Areas of the site as shown on the attached Figures 2-4. This access road needs to be widened for safety purposes and the sampling discussed in this report is constrained to the area proposed for the existing and widened access road. The remainder of the surrounding areas will be addressed in a future report.

MGA collected 48 samples from 12 locations per the NDEP-approved Sampling and Analysis Plan (SAP) and Addendum #7 to the SAP. Addendum #7 was submitted to the NDEP on March 30, 2012 and approved by the NDEP on the same day.

The investigations and analyses showed that there were no exceedances of the NDEP's Screening/Action Levels for lead or mercury.

Arsenic, however, exceeded NDEP's Screening/Action Level at two locations. Comstock performed a number of evaluations of the site-specific and referenced regional arsenic data and concluded that the arsenic is related to naturally occurring concentrations of arsenic within the ore materials. Based upon comments provided by NDEP dated May 4, 2012, NDEP disagreed with this conclusion and suggested a tiered approach to classifying materials. NDEP believes that the range of site-specific background concentrations within the ore zone for arsenic are from 0 – 90 mg/Kg. Within the access road there is one location which exceeds this range.

NDEP noted that for special cases the ceiling level for arsenic could be 131 mg/Kg if lead and mercury were below the NDEP-derived background levels. There is one location which fails this criteria. This is location WH-68 at the 12-18" depth. The proposed path forward for this location will be discussed below.

1.1 Site Name

Comstock Mining Inc.

1.2 Site Location

The Site includes portions of the Comstock site potentially impacted by the CRMS in Storey and Lyon Counties in Nevada as shown on Figure 1. The White House Access Road portion of the Site is shown on Figures 2-4.

1.3 Responsible Agency

This project is being conducted for the NDEP through the BCA Superfund Branch.

1.4 Project Organization

Title/Responsibility	Name	Phone
Comstock		
Director of Environmental and Regulatory Management	Cindi Byrns	(775) 847-5272
NDEP		
Program Coordinator for BCA Superfund Branch	Jeff Collins	(775) 687-9381
Case Officer – Review SAP, quality assurance	Jack Yates	(775) 687-9547
Case Officer – Review SAP, quality assurance	David Friedman	(775) 687-9385
McGinley and Associates, Inc. (Contractor to Comstock)		
Principal – Senior review, regulatory liaison	Joe McGinley	(775) 829-2245
Project Manager – Project management, regulatory liaison, coordinate field activities, data review, report preparation.	Brian A. Rakvica	(702) 260-4961
Quality Manager – Oversee implementation of SAP, review QA/QC procedures, data validation.	Brian Giroux	(775) 829-2245
Environmental Scientist – Conduct sampling activities	Doug Parcels	(775) 829-2245
CAD Operator – CAD support	Tim Dory	(775) 829-2245
Administrative Assistant – Administrative support	Linda Comstock	(775) 829-2245
Contractors/Vendors		
Columbia Analytical Services – drying, sieving and laboratory analysis of soil samples	Howard Holmes	(360) 501-3364
Castaway Trash Hauling – disposal of investigation-derived wastes	Jay Gardner	(775) 342-2444
Neptune and Company, Inc. – validation of data.	David Gratson	(505) 662-0707
Cascade Drilling – drilling services	Paul Snelgrove	(916) 638-5611

1.5 Statement of the Specific Problem

Comstock plans to conduct exploration and mining at the site. The access road to the site's administration building and processing area is off of Route 342. This access road is insufficient in size to allow for safe passage of large pieces of equipment and trucks. Comstock needs to widen this road to accommodate these aspects of the business operation.

Small portions of the site were potentially impacted by the CRMS. Comstock assessed the White House Access Road to evaluate the presence or absence of contaminants of concern (COCs) within the NDEP-designated potential risk zones. It is noted that the names of the historic workings identified in NDEP's *Draft Carson River Mercury Superfund Site Long-Term Sampling and Response Plan* (LTSRP) dated December 16, 2011 (NDEP, 2011) are not always consistent with the names used by the local residents. The Final Report uses the names identified in the

LTSRP as well as the local names for clarity. The analytical data was compared to the current screening/action levels for the CRMS as listed in the LTSRP as subsequently modified by NDEP's May 4, 2012 letter. Based on the results of these comparisons, one location within the access road site may need to be remediated or mitigated. The data and the proposed path forward for the White House Access Road are discussed herein.

2. SCOPE OF SERVICES

The environmental assessment activities discussed herein were conducted in accordance with the "Sampling and Analysis Plan, Comstock Mining Inc., Soils Assessment, Areas Affected by the Carson River Mercury Site, (January 25, 2012)" as approved by the NDEP and Addendum #7, also approved by the NDEP. The scope of our activities included:

- Collecting 48 soil samples, including 12 5-point composite samples;
- Implementation of the Site approved Health and Safety Plan for all sampling activities;
- Obtaining Global Positioning System (GPS) coordinates for each soil sampling location;
- Photographing all soil sample locations;
- Submitting soil samples to an NDEP-approved laboratory under approved sample handling protocols;
- Analytical testing of collected soil samples for lead (Pb), mercury (Hg) and arsenic (As);
- Conducting data review and data validation of all analytical results;
- Disposing of investigation derived wastes (IDW); and,
- Preparation of this Report of Findings.

3. BACKGROUND

Mining in the Carson River drainage basin commenced in 1850 when placer gold deposits were discovered near Dayton at the mouth of Gold Canyon. Throughout the 1850s, mining consisted of working placer deposits for gold in Gold Canyon and Sixmile Canyon. These placer deposits ultimately led to the discovery of the underground ore deposits known as the Comstock Lode.

The initial ore discovered was extremely rich in gold and silver. Gold was more abundant in Gold Canyon while silver was more abundant in Sixmile Canyon (NDEP, 2011). Early mining methods concentrated on exposing as much of the lode as possible in wide trenches. Throughout 1859, ore was shipped to San Francisco for processing. After local ore processing began in 1860, most major mines operated their own mills, but there were also a large number of private mills. Initial ore processing techniques were slow and inefficient and a fair amount of trial and error experimentation led to the development of an effective ore-processing technique known as the Washoe pan process. Refinements were aimed primarily at increasing the speed of gold and silver recovery, increasing the percentage of gold and silver recovered and decreasing the amount of gold and silver discarded in tailings piles. The general milling process employed before 1900 involved pulverizing ore with stamp mills, creating a slurry, and then directing the slurry across a copper plate coated with mercury. The precious metals would adhere to the mercury on the copper plate in an amalgamation of recoverable metals. The millwrights would scrape the mercury amalgam from the copper plates and recover the precious metals through use of a smelting furnace. The majority of the mercury was recovered and reused in the process, however, some mercury was consumed in the process because of inefficiencies and losses in the

amalgamation process, as well as in the smelting and retort process. After 1906, cyanide leaching and flotation processes replaced amalgamation and mercury use was generally discontinued.

Gold and silver production from the Comstock Lode increased slowly during the early years and 1863 was the first year of large production. Throughout the remainder of the 1860s and most of the 1870s, production remained high as rich ore bodies continued to be discovered at progressively deeper depths. The bottom of the lode was abruptly reached in 1877 at a depth of about 1,650 feet, and 1878 was the first year of dramatically reduced production. Between 1877 and 1878, ore production dropped from 562,519 tons to 272,909 tons and the total value decreased from \$36,301,536 to \$19,661,394. In 1879, production and value dropped even further. In 1901, the first cyanide-leaching operation began in Sixmile Canyon. Cyanide leaching was capable of recovering more gold and silver from lower- grade material than was possible by amalgamation methods and during the early 1900s mining operations consisted of mining lower-grade material and reworking former ore dumps and tailings piles. Between approximately 1920 and 1950, large tonnages of low-grade ores were mined (NDEP, 2011).

3.1 Sampling Area Description

The White House Access Road is approximately 2.33 acres as shown on Figures 2-4. This area includes “currently used areas” as identified in the NDEP-approved SAP. Soil sampling activities within the White House Access Road specifically targeted the following:

1. Currently used areas (roads, drill pads and other generally disturbed areas used by Comstock). Surface soil sampling was performed in these areas to verify COC levels are acceptable for workers and adjacent residents due to dust and direct contact.

3.2 Previous Investigations/Regulatory Involvement

In the 1970's the United States Geological Survey (USGS) discovered high mercury levels in water samples in the Carson River. Subsequently, the USEPA designated the CRMS and placed it on the National Priority List (NPL) regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The USEPA divided the CRMS into two Operable Units (OU's): OU1 consists of the mill sites and those areas where tailings have contaminated surface soil (generally the source areas), and OU2 is the Carson River itself, including sediments and biota (generally the depositional/ecological areas). USEPA designated NDEP as the CRMS lead agency to manage OU1 of the CRMS and NDEP delegated this responsibility to the BCA. Areas likely to have the highest levels of COCs include former mill sites and associated drainage pathways down-gradient of mill sites as well as within the Carson River system itself.

3.3 Geological Information

The geology of the Site has been mapped as Quaternary Young Alluvium with Tertiary intrusions consisting of Alta Formation, Biotite Horneblende Andesite Dikes, Santiago Canyon Tuff, and Davidson Diorite (Hudson, 2009). The Young Alluvium is described as poorly sorted Holocene deposits of boulder to silt-sized material deposited on alluvial fans and as channel deposits. The Alta Formation, Biotite Horneblende Andesite Dikes, and Davidson Diorite are described as magmatic suites consisting of horneblende andesite dikes and intrusions. Lastly, the Santiago Canyon Tuff is described as Miocene-Oligocene tuff and sediment consisting of light gray to pinkish gray, moderately to strongly welded, rhyolitic tuff and can be as much as 120 m thick (Hudson, 2009). Additional details regarding the site geology are discussed in detail in the SRK

geochemical evaluation contained in Appendix A (SRK, 2012).

Based on State of Nevada Division of Water Resources well log data for the vicinity of the Site, groundwater is estimated to be between 12 and 100 feet below ground surface (bgs).

3.4 Environmental and/or Human Impact

Historic mining activities in the Comstock region used elemental mercury to amalgamate gold and silver. It has been estimated that 7,500 tons (15,000,000 pounds) of elemental mercury was lost in the process of obtaining gold and silver. Additionally, lead and arsenic were concentrated and discharged during the ore extraction and processing. These compounds (mercury, lead and arsenic) migrated into soils via fluvial pathways and hence into the Carson River system along a 75-mile stretch of the Carson River from New Empire, just east of Carson City, to its termination points at Carson Lake, Stillwater Wildlife Refuge and the Carson Sink. Episodic flooding and fluvial deposition have produced areas with high COC levels which represent “hot spots” within a wider area of possible contamination.

During site investigation activities, USEPA was not able to collect enough data to define a precise site boundary for the CRMS. NDEP and USEPA have instead developed a preliminary method of bounding the Site. As a preliminary method of bounding the Site, NDEP identified potential risk area boundaries, meaning the largest areas within the general CRMS site description where there is a potential that historic mill sites or tailings might be present and where soil might contain mercury in concentrations above 80 mg/kg. Conversely, USEPA and NDEP have excluded from the CRMS upland areas and areas away from historic mill sites. NDEP developed a CRMS potential risk area boundary map (“NDEP Risk Area Map”) that was first made available to the public on the NDEP website on April 27, 2011.

4. PROJECT DATA QUALITY OBJECTIVES

Project DQOs are addressed in the NDEP-approved SAP and as such are not repeated herein.

4.1 Data Quality Indicators (DQIs)

Data quality indicators (precision, accuracy, representativeness, completeness, comparability and sensitivity (i.e., PARCCS parameters) refer to quality control criteria established for various aspects of data gathering, sampling, and/or analyses. DQIs are discussed in detail in the NDEP-approved SAP and that discussion is not repeated herein.

4.2 Data Review and Validation

Data review and validation was completed per the NDEP-approved SAP. Detailed data validation summary reports are provided as Appendix A to this Report. Due to the size of these reports they are only provided electronically. Data was minimally qualified and no data were found to be unusable.

In addition, MGA’s QA officer supervised and performed data quality assessment tasks. MGA comprehensively evaluated and documented measurement data to monitor consistency with measurement quality objectives (MQOs), to quantitatively assess data quality, and to identify potential limitations to data use. MGA reviewed field and analytical laboratory data generated for this project, including the following:

- Chain of custody documentation;
- Laboratory batch QC frequency; and,
- Results of batch and field QC analyses.

These items were reviewed on a daily basis as samples were collected and delivered to the laboratory. In addition, MGA maintained continuous communication with Neptune and Company (Neptune) as 3rd party data validation was occurring and as the Site-wide database was being populated.

4.3 Data Management

Sampling was conducted in accordance with MGA's standard operating procedures (SOPs). A unique identification number was assigned to each sample. The number is an alphanumeric sequence that serves as an acronym to identify the sample. The following format was used for the sample designation:

Soil Samples:

Sample ID: COM001-SS-01-1.0

COM001 - MGA Project Number

SS-01 – Soil Sample Number (i.e., #1)

1.0 – Depth of Soil Sample (feet below ground surface)

Field logs were maintained throughout the project. Soil samples were preserved or cooled as required for each laboratory analysis. Samples were delivered or shipped to the laboratory under approved chain-of-custody protocol.

4.4 Assessment Oversight

Any modifications to the sampling plan were documented in the field logs and in this Final Report as “deviations from the sampling plan.” Numerous minor modifications to proposed sampling locations were completed to allow for logistical and safety constraints in the field. The sampling locations, as presented on Figures 2-4, represent the as-sampled locations.

5. SAMPLING RATIONALE

The sampling rationale was discussed in detail in the NDEP-approved SAP and is summarized below. The White House Access Road included 5-point composite samples. The specific locations of each of the points of the composite were laid out in the field based upon field conditions. For example, if visual evidence of tailings or historic disturbance was noted within the area of a five-point composite, the sampling points of the composite were biased towards areas of visual evidence. Every point of the 5-point composite was located with GIS-grade equipment and this information is provided as part of the Microsoft Access database and the site geodatabase provided within the electronic version of the report.

1. If an area of the Site is designated as previously disturbed land and there is visual evidence of it being disturbed, it was sampled based upon the high risk designation in the Comstock Mining Sampling and Analysis Strategy (SAS). Examples include currently used roads and drill pads; and tailings piles. Currently used roads are the only category characterized and discussed herein.
 - a. For roads, each five point composite per quadrant was laid out in a linear fashion and was spread over a maximum of an equivalent one quarter acre area (approximate road width times an appropriate number of linear feet). Samples were collected from 0-6", 6-12", 12-18" and 18-24" bgs.

The data is presented on Figures 2-4. 48 samples were collected as part of this sampling effort.

5.1 Soil Sampling

The depth of soil sampling is discussed above. All soil samples were lab sieved to 250 microns (60 mesh). All soil samples from 0-2' bgs were collected using hand tools, a powered auger or a direct push drill rig.

6. REQUEST FOR ANALYSIS

Laboratory analyses are discussed in Section 6.1 below.

6.1 Soil Samples

The soil samples were collected as described above and analyzed for the following (per the NDEP's LTSRP guidance):

- Mercury – USEPA Method 7471A or B sieved to 250 microns (60 mesh)
- Arsenic and Lead – USEPA Method 6010B or C, digestion 3050, sieved to 250 microns (60 mesh)

6.2 Analytical Laboratory

All analytical testing was conducted by Columbia Analytical Services (CAS). Analytical testing and sample handling was conducted in accordance with CAS's SOPs (as detailed in the NDEP-approved SAP).

7. FIELD METHODS AND PROCEDURES

Field methods and procedures were per the NDEP-approved SAP. No deviations were noted.

8. SAMPLE CONTAINERS, PRESERVATION AND STORAGE

Sample containers, preservation and storage were per the NDEP-approved SAP. No deviations were noted.

9. DISPOSAL OF RESIDUAL MATERIALS

Waste generated during this investigation includes decontamination fluids, used personal protective equipment (PPE) and disposable sampling equipment.

Decontamination fluids consisted of deionized or distilled water, residual contaminants, and water with non-phosphate detergent. The water and water with detergent were poured into drums. These fluids were subsequently placed into a Comstock-owned zero discharge pond for evaporation.

Waste soil was drummed and disposed of after analytical data were received from the laboratory. Drums were labeled as waste with “characterization pending” until the analytical data were received. While waiting for the analytical data, the drums were stored on-site in a secure location. Based upon the analytical data, the drums were disposed of at an appropriate regulated facility.

Disposable sampling equipment and used PPE were double bagged and disposed of in a municipal refuse dumpster.

10. SAMPLE DOCUMENTATION AND SHIPMENT

10.1 Field Notes

10.1.1 Field Logbooks

Field logs were completed describing all field activities, as discussed in the NDEP-approved SAP.

10.1.2 Photographs

Photographs were taken as discussed in the NDEP-approved SAP. Photos of sampling in the White House Access Road are provided as Appendix B.

10.2 Labeling

All samples collected were labeled in a clear and precise manner for proper identification in the field and for tracking in the laboratory. The samples had pre-assigned, identifiable, and unique numbers as discussed above.

10.3 Sample Chain-of-Custody Forms and Custody Seals

All samples were delivered to the laboratory under chain-of-custody protocol. Laboratory supplied custody seals were used to seal the screw lid of each sample container.

10.4 Packaging and Shipment

Samples were placed in a sturdy cooler. Bubble wrap was placed in the bottom of the cooler. Sample containers were placed in containers provided by the laboratory. Ice was packed in zipper-locked, double plastic bags. Empty space in the cooler was filled with bubble wrap.

11. QUALITY CONTROL

11.1 Assessment of Field Variability (Field Duplicates or Co-located Samples)

Duplicate soil samples were collected for laboratory quality control purposes for each discrete area sampled or for one in every 20 samples. It is noted that the NDEP may request to take splits

or duplicate samples; however, no USEPA or NDEP split or duplicate samples were requested and none were collected in the White House Access Road.

11.2 Laboratory Quality Control Samples

Laboratory QC (e.g., matrix spike/matrix spike duplicate samples) samples were analyzed to monitor the precision and accuracy of its analytical procedures. These samples are discussed in detail in the data validation summary reports contained in Appendix A.

12. DATA EVALUATION

12.1 Mercury

Mercury data is presented on Table 1 and Figure 4. There were no exceedances of the NDEP's Residential Screening/Action Level. The range of concentrations is from 0.0117 to 10.8 mg/Kg. The mean concentration is 1.52 mg/Kg. These data show that the mercury concentrations within the White House Access Road are well below the NDEP's Residential Screening/Action Level of 80 mg/Kg. The site will be used as a road and the NDEP's Commercial Screening/Action Level is 300 mg/Kg as a point of reference.

NDEP derived site-specific background values and provided a range of 0 - 1.5 mg/Kg for mercury. There are several locations at the site which exceed 1.5 mg/Kg, however, all locations are below NDEP's Screening/Action Levels and/or site-specific background values as derived by the NDEP. These are all classified as Category 3 materials as defined in the NDEP's May 4, 2012 letter and hence are not regulated under CERCLA.

12.2 Lead

Lead data is presented on Table 1 and Figure 3. There were no exceedances of the NDEP's Residential Screening/Action Level. The range of concentrations is from 15.7 to 244 mg/Kg. The mean concentration is 86.44 mg/Kg. These data show that the lead concentrations within the White House Access Road are well below the NDEP's Residential Screening/Action Level of 400 mg/Kg. The site will be used as a road and the NDEP's Commercial Screening/Action Level is 800 mg/Kg as a point of reference.

NDEP derived site-specific background values and provided a range of 0 - 63 mg/Kg for lead. There are several locations at the site which exceed 63 mg/Kg, however, all locations are below NDEP's Screening/Action Levels and/or site-specific background values as derived by the NDEP. These are all classified as Category 3 materials as defined in the NDEP's May 4, 2012 letter and hence are not regulated under CERCLA.

12.3 Arsenic

Arsenic data is presented on Table 1 and Figure 2. There were a number of exceedances of NDEP's Residential Screening/Action Level of 32 mg/Kg. The range of concentrations is from 4 to 109 mg/Kg. The mean concentration is 18.7 mg/Kg. The site mean concentration is below the NDEP's Residential Screening/Action Level.

Comstock evaluated these data as the arsenic data was elevated versus the NDEP's Residential Screening/Action Level, however, there were no detections of other COCs above the NDEP's Residential Screening/Action Levels. The absence of concentrations above the pertinent NDEP Screening/Action Levels for the other 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 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 Comstock's belief that the presence of arsenic above the NDEP's Screening/Action Level in the absence of elevated levels of mercury and lead indicate that the arsenic values are representative of background conditions.

The evidence suggests that the arsenic concentrations within the White House Access Road are naturally occurring in association with primary mineralization in the bedrock or at concentrations which are protective of human health and the environment. Consequently, no mitigation measures are needed, other than compliance with existing permits, to allow Comstock to proceed with exploration and mining-related activities at the White House Access Road. NDEP derived through statistical analysis of the data throughout the site what NDEP has termed site-specific background values and provided a range of 0 - 90 mg/Kg for arsenic. There is one location in the White House Access Road which exceeds 90 mg/Kg and its lead concentration is elevated versus the NDEP's range of background values. Comstock believes that the material at the one noted depth within the one noted location is due to naturally occurring mineralization, but at NDEP's request, this location is designated as CERCLA-regulated material (classified as Category 4 materials per NDEP's May 4, 2012 comments).

13. PROPOSED MITIGATIVE MEASURES

As noted above, Comstock does not believe that any mitigative measures are necessary as the concentrations of COCs present throughout the White House Access Road are within acceptable health-based levels. There was only one location within the White House Access Road that failed NDEP's criteria for defining CERCLA applicability, location WH-68 at the 12-18" bgs depth. This location is elevated for arsenic and lead. NDEP's ceiling for arsenic is 131 mg/Kg. Mercury concentrations are extremely low at 0.141 mg/Kg versus the NDEP's background range of 0 - 1.5 mg/Kg; the NDEP's Screening/Action Level of 80 mg/Kg (residential); and the NDEP's Screening/Action Level of 300 mg/Kg (commercial/industrial). Lead is also low at 129 mg/Kg versus the NDEP's Screening/Action Level of 400 mg/Kg (residential); and the NDEP's Screening/Action Level of 800 mg/Kg (commercial/industrial). Given the location, the isolation of the arsenic exceedances, and the fact that mercury concentrations are consistent with background, Comstock believes that the arsenic present at WH-68 at 12-18" bgs is naturally occurring nevertheless, at NDEP's direction the area will be managed as CRMS-related CERCLA waste. The area where NDEP believes that CERCLA applies is shown on Figure 5. This area is within an existing road right-of-way, and at depth. The existing usage as a road functions as a cap and is not expected to affect the 12-18" depth. In addition, Comstock plans to improve the existing road by adding additional clean fill materials on top of the existing road materials. In addition, the road will be maintained with dust control measures and/or tacifier that will help to stabilize the road materials. Comstock does not propose any additional mitigative measures at this time. If this area has a change in usage such that the 12-18" bgs depth will be disturbed Comstock will propose additional mitigative measures including potentially proposing additional sampling to define the nature and extent of the COCs.

14. TRENDS

In the May 4, 2012 letter, BCA has requested that Comstock include a discussion of data trends and discoveries over the entire sampling area including: evidence for or against

historic aerial deposition of COCs; whether site COCs were spatially found to be regular, predictable and continuous or unpredictable, irregular and isolated, and what COC trends were encountered with depth.

Comstock has previously submitted a final report for the Lucerne Pit Area, which has been approved by NDEP. The Lucerne Pit Area samples identified naturally occurring minerals and were consistently less than COC action levels for mercury and lead and variable above and below action levels for arsenic. The location and variation in concentrations is consistent with a structure driven ore body. The Hartford Mill samples while elevated, were not above COC action levels. The nature of the White House Access Road is substantially different than the Lucerne Pit Area in terms of historic usage and it does not appear appropriate to compare the two, however, Comstock notes that all data collected allows for a fuller understanding of the site.

Comstock notes that the data presented herein continue to confirm the USEPA's analysis that CRMS-related materials would be found in proximity to Comstock era mills and tailings piles and fluvial deposits from such sites, but that it would not be found in upland areas or areas even a short distance from Comstock era mills and tailings piles and associated fluvial deposits. Consistent with that trend, it was not expected that the White House Access Road would have been impacted by CRMS-related materials and the data confirm that conclusion. The White House Access Road data also show that the mineralization in the area appears to be heterogeneous and dependent upon the presence of ore bodies and ore materials.

15. CONCLUSIONS AND PATH FORWARD

With the exception of the single point at 12-18" bgs at location WH-68, the White House Access Road is within NDEP Categories 1-3 and requires no further action and is proposed for removal from the CRMS.

Regarding location WH-68 at 18-24" bgs Comstock proposes that no further action is required at this time because it will remain within a road right-of-way at depth and will remain undisturbed and the road will function as a cap. Comstock will maintain this road as part of its business operations and will place a crushed rock cap and/or dust suppressant on top of the soils. In this manner the road will function as a cap for the materials located at 12-18" bgs at location WH-68. Should Comstock change the use of that location in the future, additional mitigation measures will be elevated and submitted to BCA.

16. REFERENCES

Hudson, 2009. Hudson, Donald M., Stephen B. Castor, Larry J. Garside, and Christopher D. Henry, 2009. *Map 165 – Geologic Map of the Virginia City Quadrangle, Washoe, Storey, and Lyon Counties and Carson City, Nevada*. Nevada Bureau of Mines and Geology.

MGA, 2012. *Sampling and Analysis Plan, Comstock Mining Inc., Soils Assessment, Areas Affected by the Carson River Mercury Site, Gold Hill, NV*, January 25.

NDEP, 2011. *Draft Carson River Mercury Superfund Site Long-Term Sampling and Response Plan Risk Assessment and Soil Management*. November 10.

TABLE

Table 1 - White House Access Road Sampling Results

Sample	Beginning Depth	Ending Depth	Result (mg/kg)	Result (mg/kg)	Result (mg/kg)	Material Category (per NDEP 5/4/12 letter)
			Mercury	Lead	Arsenic	
COM001-SS-WH101-0-6"	0	6	0.262	83.9	26.5	3, due to lead
COM001-SS-WH101-6"-12"	6	12	0.409	53.6	23.3	1
COM001-SS-WH101-12"-18"	12	18	0.35	43.1	21.6	1
COM001-SS-WH101-18"-24"	18	24	0.297	40.6	19.8	1
COM001-SS-WH113-0-6"	0	6	0.117	66	21.1	3, due to lead
COM001-SS-WH113-6"-12"	6	12	0.147	54.8	20.6	1
COM001-SS-WH113-12"-18"	12	18	0.21	55.2	28.1	1
COM001-SS-WH113-18"-24"	18	24	0.171	50.9	24.9	1
COM001-SS-WH68-0-6"	0	6	0.829	30.9	12.3	1
COM001-SS-WH68-6"-12"	6	12	0.273	28	13.1	1
COM001-SS-WH68-12"-18"	12	18	0.141	129	109	4, due to arsenic > 90 mg/Kg and lead greater than background
COM001-SS-WH68-18"-24"	18	24	0.142	15.7	6.9	1
COM001-SS-WH114-0-6"	0	6	0.189	70.7	23.4	3, due to lead
COM001-SS-WH114-6"-12"	6	12	0.154	76	23.1	3, due to lead
COM001-SS-WH114-12"-18"	12	18	0.175	87.4	23.7	3, due to lead
COM001-SS-WH114-18"-24"	18	24	1.38	44.9	18.9	1
COM001-SS-WH17-0"-6"	0	6	0.966	170	7.6	3, due to lead
COM001-SS-WH17-6"-12"	6	12	0.805	55.9	4.8	1
COM001-SS-WH17-12"-18"	12	18	0.372	26.9	4.1	1
COM001-SS-WH17-18"-24"	18	24	0.291	24.4	5.7	1
COM001-SS-WH19-0"-6"	0	6	2.79	58.8	14.8	3, due to mercury
COM001-SS-WH19-6"-12"	6	12	2.5	42	17.9	3, due to mercury
COM001-SS-WH19-12"-18"	12	18	0.978	30.7	15.4	1
COM001-SS-WH19-18"-24"	18	24	1.49	141	22.9	3, due to lead
COM001-SS-WH23-0"-6"	0	6	2.68	68.6	20	3, due to lead and mercury
COM001-SS-WH23-6"-12"	6	12	2.94	74.1	22.3	3, due to lead and mercury
COM001-SS-WH23-12"-18"	12	18	3.27	81.6	23.2	3, due to lead and mercury
COM001-SS-WH23-18"-24"	18	24	10.7	157	19	3, due to lead
COM001-SS-WH45-0"-6"	0	6	1.05	244	12.1	3, due to lead
COM001-SS-WH45-6"-12"	6	12	1.91	158	8.1	3, due to lead and mercury

Table 1 - White House Access Road Sampling Results

Sample	Beginning Depth	Ending Depth	Result (mg/kg)	Result (mg/kg)	Result (mg/kg)	Material Category (per NDEP 5/4/12 letter)
			Mercury	Lead	Arsenic	
COM001-SS-WH45-12"-18"	12	18	2.65	244	8.1	3, due to lead and mercury
COM001-SS-WH45-18"-24"	18	24	2.4	38.6	12.6	1
COM001-SS-WH16-0-6	0	6	1.97	162	34.3	3, due to lead and mercury
COM001-SS-WH16-6-12	6	12	10.8	150	27.6	3, due to lead and mercury
COM001-SS-WH16-12-18	12	18	1.04	210	15.3	3, due to lead
COM001-SS-WH16-18-24	18	24	1.03	180	17.1	3, due to lead
COM001-SS-WH31-0-6	0	6	5.39	234	24.9	3, due to lead and mercury
COM001-SS-WH31-6-12	6	12	1.06	131	19.3	3, due to lead
COM001-SS-WH31-12-18	12	18	1.29	143	13.5	3, due to lead
COM001-SS-WH31-18-24	18	24	1.03	63.3	8	1
COM001-SS-WH18-0"-6"	0	6	0.99	44	18.1	1
COM001-SS-WH18-6"-12"	6	12	0.54	42	19.4	1
COM001-SS-WH18-12"-18"	12	18	1.02	46.2	20.9	1
COM001-SS-WH18-18"-24"	18	24	0.815	37	19.3	1
COM001-SS-WH91-0"-6"	0	6	1.05	63.9	8.7	3, due to mercury
COM001-SS-WH91-6"-12"	6	12	1.01	43	7.6	1
COM001-SS-WH91-12"-18"	12	18	0.673	35.2	4	1
COM001-SS-WH91-18"-24"	18	24	0.312	18.2	4.7	1

Minimum =	0.117	15.7	4
Maximum =	10.8	244	109
Mean =	1.52	86.44	18.70
Standard Deviation =	2.19	62.84	15.07

Notes:

1. NDEP Screening/Action Levels

Arsenic - 32 mg/Kg

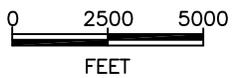
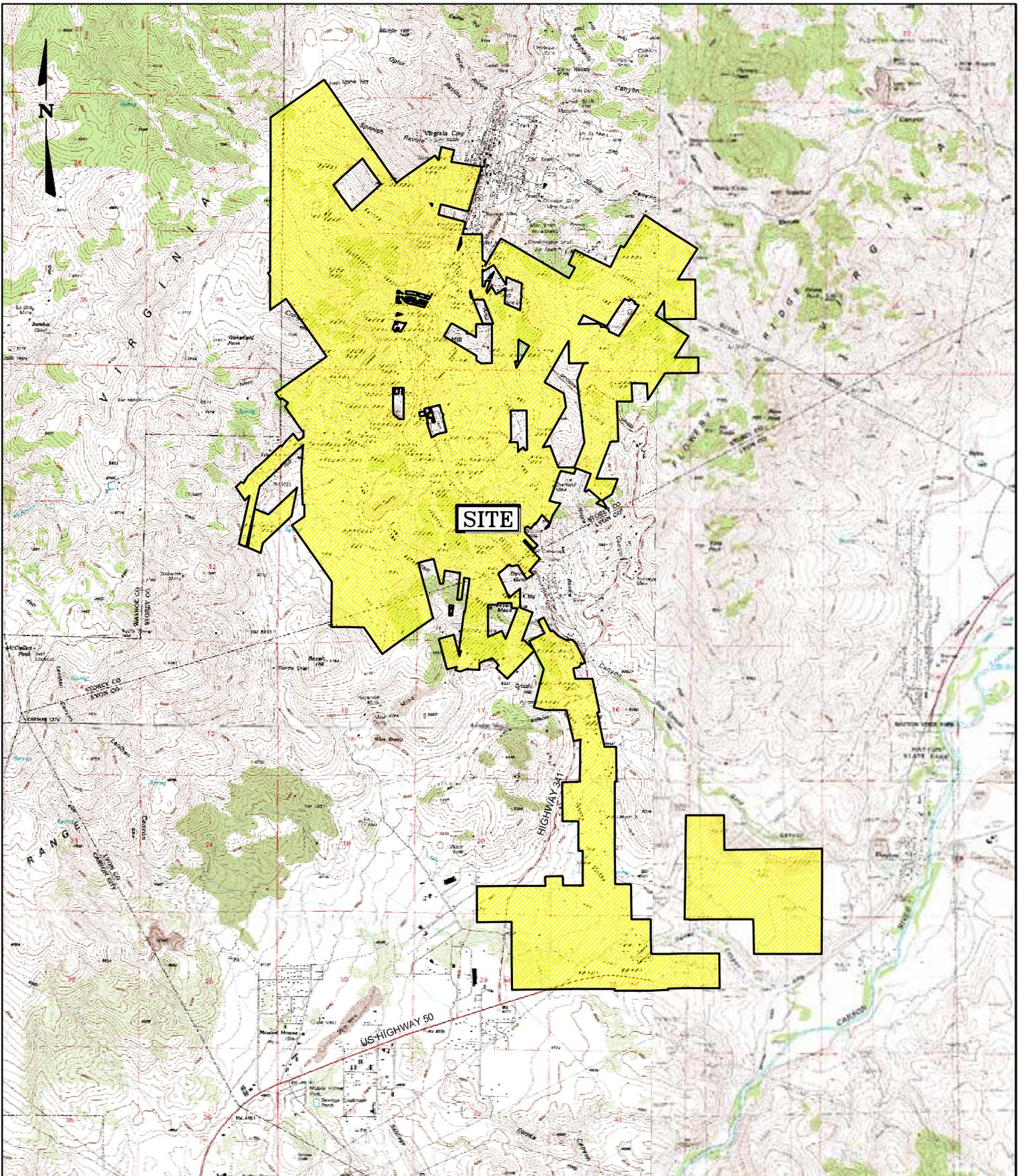
Lead - 400 mg/Kg

Mercury - 80 mg/Kg

2. Shading indicates a data point greater than NDEP Screening/Action Level

3. Per NDEP's 5/4/12 Letter categories 1-3 are not CERCLA-regulated materials.

FIGURES



REVISIONS REFERENCE	DESIGNED	BH	
	DRAWN	TAD	
	CHECKED		
	APPROVED		
	No.	DESCRIPTION	BY
▲			
▲			
▲			

FIGURE 1
PROJECT LOCATION MAP
 -SHOWING-
COMSTOCK MINE LAND HOLDINGS
STOREY AND LYON COUNTIES, NEVADA



McGinley & Associates

SCALE: AS SHOWN	REVISION
JOB NO. COM-001	▲

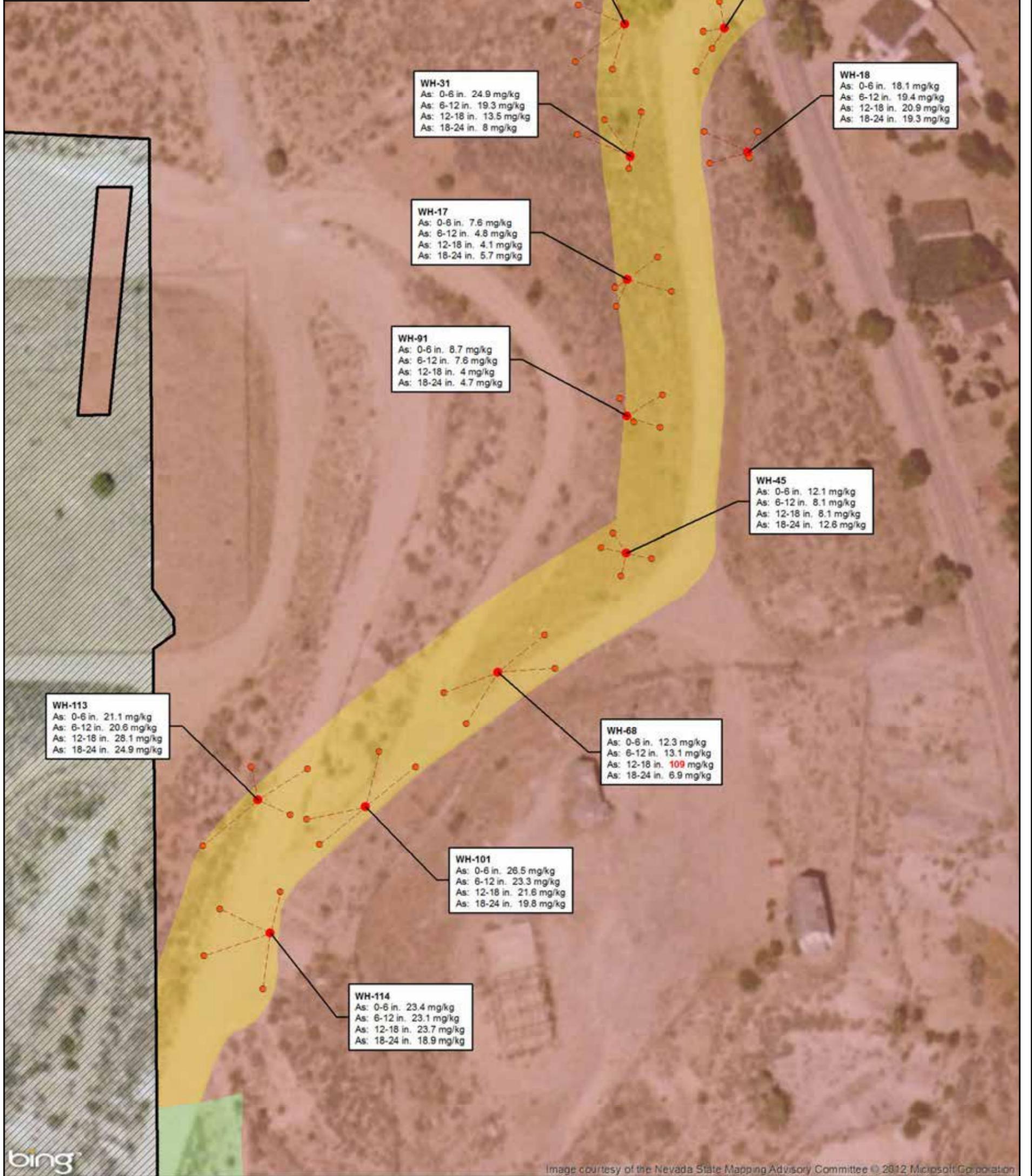
NDEP Screening/Action Levels

- Arsenic = 32 mg/Kg
- Lead = 400 mg/Kg
- Mercury = 80 mg/Kg

Note:
All concentrations are in milligrams per kilogram (mg/Kg).
Results exceeding the NDEP Screening/Action Levels are highlighted in **RED**.

EXPLANATION

- CMI Land Holdings
- Potential Access Road Area
- Potential Contaminants Zone
- CMI Land Outside of CRMS Zone
- Non-CMI Lands



COMSTOCK MINING INC. <i>Revitalizing the Comstock</i>			
Comstock			
DESIGN: -	DRAWN: MAW	REVIEWED: -	
SCALE: 1 inch = 80 feet	DATE: 6/8/2012		
FILE: Arsenic_WhiteHouseAccessRoad_Sampling_Results_20120606_VS.mxd			

DRAWING TITLE:
White House Access Road Sampling
Soil Concentrations - Arsenic

Comstock Mining, Inc. CRMS Sample & Analysis Plan	
ISSUED FOR: -	
DRAWING NO. Figure 2	REVISION NO. A
MGA JOB NO. COM000.S001	

NDEP Screening/Action Levels

- Arsenic = 32 mg/Kg
- Lead = 400 mg/Kg
- Mercury = 80 mg/Kg

Note:
All concentrations are in milligrams per kilogram (mg/Kg).
Results exceeding the NDEP Screening/Action Levels are highlighted in **RED**.

EXPLANATION

- CMI Land Holdings
- Potential Access Road Area
- Potential Contaminants Zone
- CMI Land Outside of CRMS Zone
- Non-CMI Lands

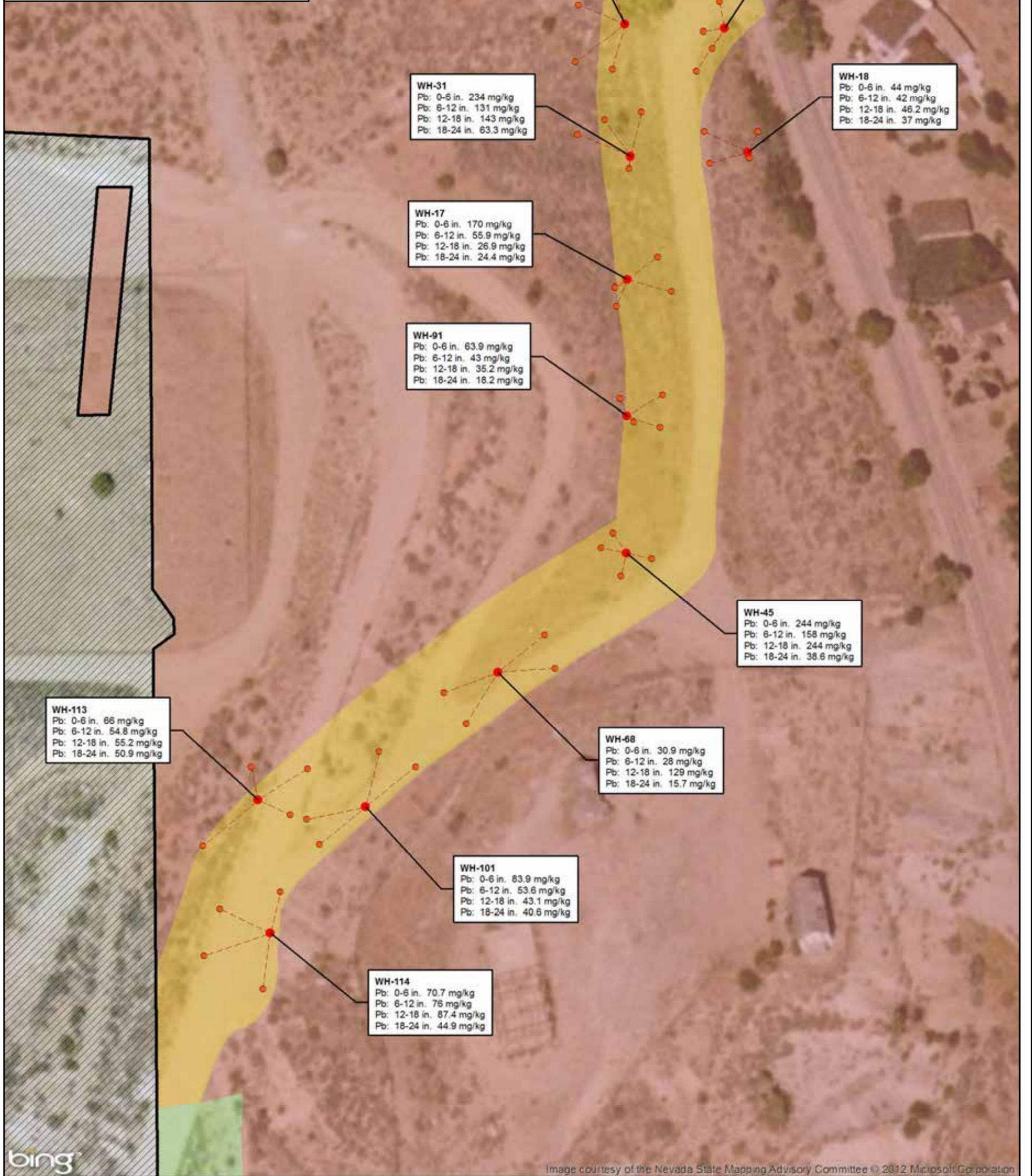


Image courtesy of the Nevada State Mapping Advisory Committee © 2012 Microsoft Corporation

COMSTOCK MINING INC.
Revitalizing the Comstock

Comstock

DESIGN:	-	DRAWN:	MAW	REVIEWED:	-
SCALE:	1 inch = 80 feet		DATE:	6/8/2012	
FILE:	Lead_WhiteHouseAccessRoad_Sampling_Results_20120606_VS.mxd				

DRAWING TITLE:

White House Access Road Sampling

Soil Concentrations - Lead

Comstock Mining, Inc.
CRMS Sample & Analysis Plan

ISSUED FOR: -

DRAWING NO. Figure 3	REVISION NO.
MGA JOB NO. COM000.S001	A

NDEP Screening/Action Levels

- Arsenic = 32 mg/Kg
- Lead = 400 mg/Kg
- Mercury = 80 mg/Kg

Note:
All concentrations are in milligrams per kilogram (mg/Kg).
Results exceeding the NDEP Screening/Action Levels are highlighted in **RED**.

EXPLANATION

- CMI Land Holdings
- Potential Access Road Area
- Potential Contaminants Zone
- CMI Land Outside of CRMS Zone
- Non-CMI Lands

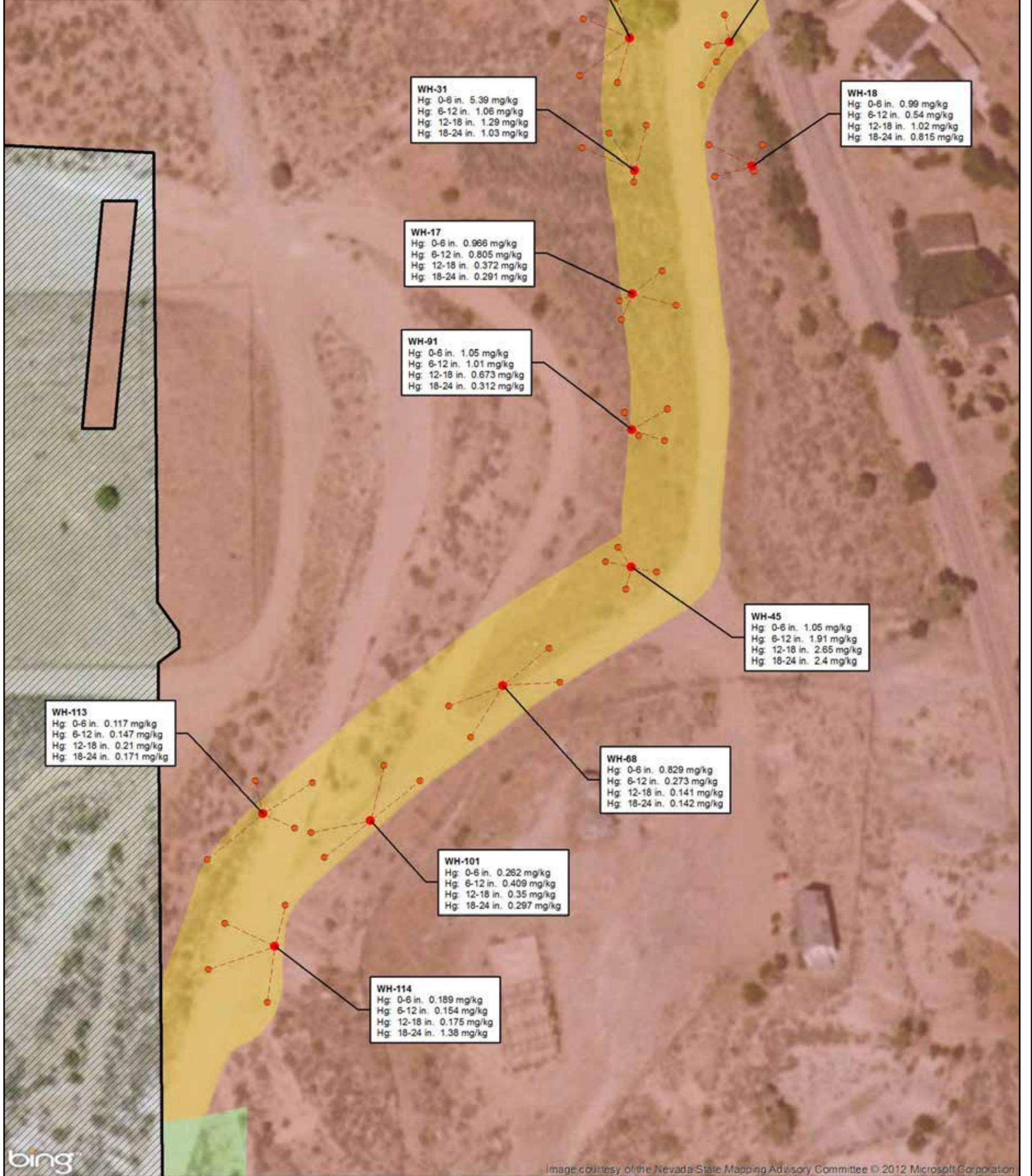


Image courtesy of the Nevada State Mapping Advisory Committee © 2012 Microsoft Corporation



COMSTOCK MINING INC.
Revitalizing the Comstock

Comstock			
DESIGN:	-	DRAWN: MAW	REVIEWED: -
SCALE:	1 inch = 80 feet		DATE: 6/8/2012
FILE: Mercury_WhiteHouseAccessRoad_Sampling_Results_20120606_VS.mxd			

DRAWING TITLE:

White House Access Road Sampling
Soil Concentrations - Mercury

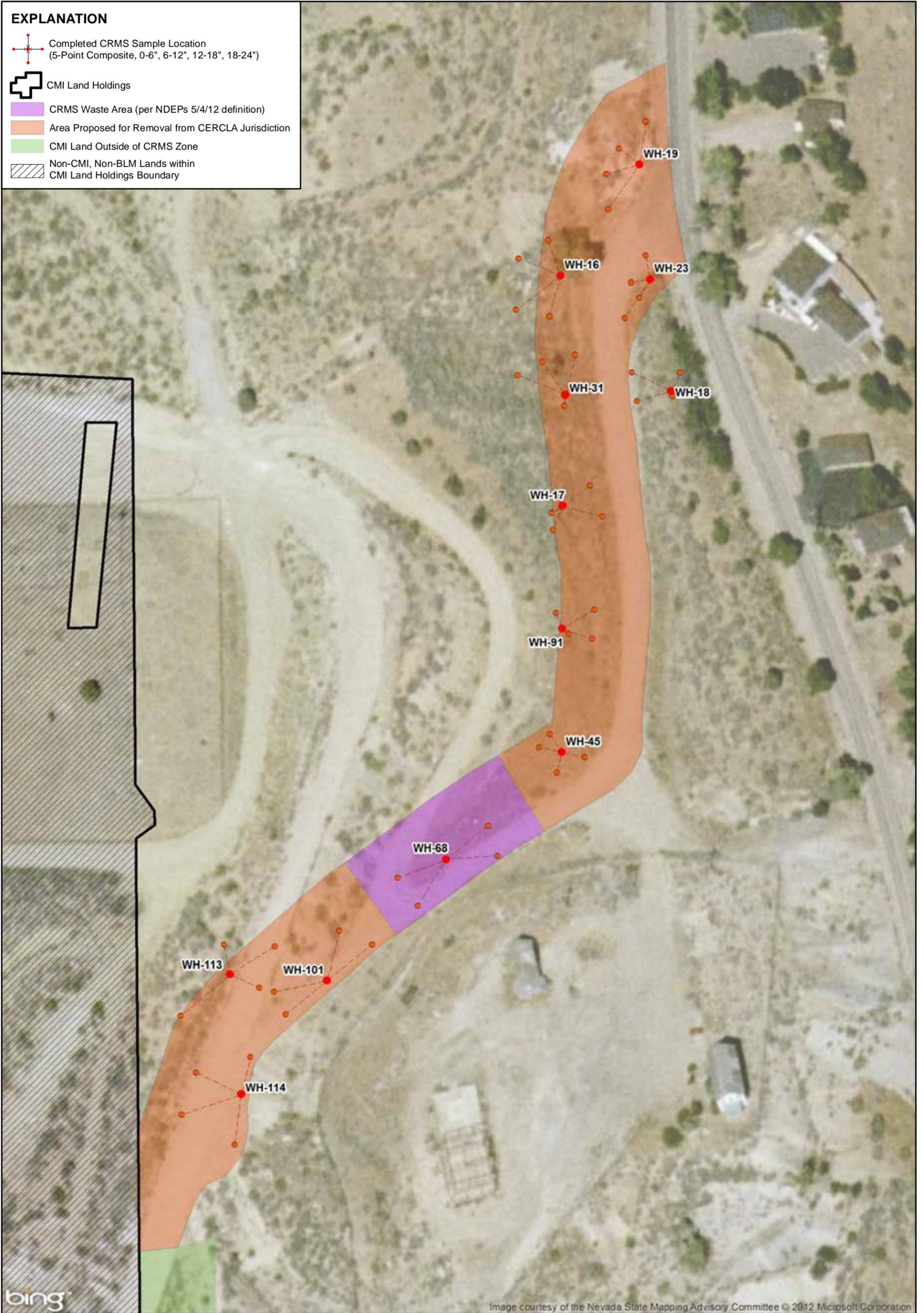
Comstock Mining, Inc.
CRMS Sample & Analysis Plan

ISSUED FOR: -

DRAWING NO. Figure 4	REVISION NO.
MGA JOB NO. COM000.S001	A

EXPLANATION

-  Completed CRMS Sample Location
(5-Point Composite, 0-6", 6-12", 12-18", 18-24")
-  CMI Land Holdings
-  CRMS Waste Area (per NDEPs 5/4/12 definition)
-  Area Proposed for Removal from CERCLA Jurisdiction
-  CMI Land Outside of CRMS Zone
-  Non-CMI, Non-BLM Lands within
CMI Land Holdings Boundary



COMSTOCK MINING INC <i>Revitalizing the Comstock</i>		
Comstock		
DESIGN: -	DRAWN: MAW	REVIEWED: -
SCALE: 1 inch = 80 feet	DATE: 6/8/2012	
FILE: WhiteHouseAccessRoad_Regulatory_Status_20120608_VS.mxd		

DRAWING TITLE:
White House Access Road
Regulatory Status

Comstock Mining, Inc. CRMS Sample & Analysis Plan	
ISSUED FOR: -	
DRAWING NO. Figure 5	REVISION NO.
MGA JOB NO. COM000.S001	A

APPENDIX A

Data Validation Summary Reports (provided with electronic version of the report only)

APPENDIX B

Photograph Log



WH-16



WH-17

McGinley & Associates, Inc.
Comstock Mining Inc.
CRMS Sampling and Analysis Plan

Photographic Log
Survey Points
6/8/12
ASW Project Number: 039-007
PLATE 1



Applied Soil Water Technologies, LLC
56 Coney Island Drive
Sparks, Nevada 89431
Ph: 775.284.5500 Fax: 775.284.5504
www.appliedsoilwater.com



WH-18



WH-19

McGinley & Associates, Inc.
Comstock Mining Inc.
CRMS Sampling and Analysis Plan

Photographic Log
Survey Points
6/8/12
ASW Project Number: 039-007
PLATE 2



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WH-23



WH-31

McGinley & Associates, Inc.
Comstock Mining Inc.
CRMS Sampling and Analysis Plan

Photographic Log
Survey Points
6/8/12
ASW Project Number: 039-007
PLATE 3



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WH-45



WH-68

McGinley & Associates, Inc.
Comstock Mining Inc.
CRMS Sampling and Analysis Plan

Photographic Log
Survey Points
6/8/12
ASW Project Number: 039-007
PLATE 4



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WH-91



WH-101

McGinley & Associates, Inc.
Comstock Mining Inc.
CRMS Sampling and Analysis Plan

Photographic Log
Survey Points
6/8/12
ASW Project Number: 039-007
PLATE 5



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WH-113



WH-114

McGinley & Associates, Inc.
Comstock Mining Inc.
CRMS Sampling and Analysis Plan

Photographic Log
Survey Points
6/8/12
ASW Project Number: 039-007
PLATE 6



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