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Please accept my public comments on the Tyrone Emma Pit Project, GR010RE;

A good environmental record, jobs and tax base was recently claimed at the August 16, 2022 New Mexico Mining and Minerals Division Public Hearing on expanding the Tyrone Mine's proposed Emma Pit by Freeport supporters and paid consultants. Trust Freeport on their environmental record, jobs and property tax claims? Their actual record is much less optimistic for protecting the environment around the Emma Pit, the groundwater, and neighbors' wells. And under the 1990 Copper ad Valorem tax act Freeport's property taxes fell from \$8 million dollars a year to \$1.3 million dollars a year now, saving the mines several hundred million dollars over 30 years, so the Emma Pit will not add to our tax base. The millions of dollars recently added in a haul road, equipment and utility upgrades to Cobre Mines did not add to Freeport's property tax bill.

Containing milled heavy metal tailings are a problem for Freeport from Indonesia's Grasberg Mine into the Minajerwi River drastically altering that river's ecosystem, Tyrone's enormous tailings blowout into the Mangus Valley (leading into the Gila River) in the 1980s to possible recent rain caused discharges into Whitewater Creek. This matters as one of the state's largest pollution events at the time took place in 1988 from the Chino Mine's, then owned by Phelps Dodge, intentional month long release of 185 million gallons of ph 1 heavy metal water into Whitewater Creek flowing towards Deming and into the Mimbres aquifer. A three time over safe levels of cadmium was found at the US Highway 180 bridge over Whitewater Creek. A fine of \$1,000 for each 100,000 gallons released then was proposed by the former NM Environmental Improvement Division in 1988 with a \$31,000 fine levied by NMEID. The resulting Discharge Plan-214 required Chino to contain storm water runoff in a 250 million gallon reservoir. Past environmental activism and the watchdog reporting by the former Grant County local weekly paper El Reportero made a difference in containing runoff from the Chino pit into Whitewater Creek during recent heavy rains. Back then, as now, local politicians bent over backwards to support the mines over their constituents and our environment.

Numerous times copper mill tailings, from a Santa Rita concentrator pipeline to Hurley, have also spilled into Whitewater Creek. The former Kennecott/Phelps Dodge smelter is gone but in 1987 sulfur dioxide gasses were released over Hurley when a bypass of pollution control equipment sent residents running and gasping for fresh air. Monitoring equipment strangely had been hit by lightning at the same time. This history is relevant as Freeport acquired Phelps Dodge in 2007.

Updated, just in July 2022, is the Office of Natural Resources, State of NM, and US Fish and Wildlife Service \$13 million settlement for groundwater damages from the Chino, Cobre and Tyrone Mines and another settlement of \$5.5 million for injury to wildlife and their habitat. The 2011 fines paid for work improving multiple areas around Grant County.

Freeport's mine in Morenci has an equally poor environmental record with three major fines for: air pollution in 2009; 168,000 gallons of acidic heavy metal water into a San Francisco River tributary in 2011; and the 2012 \$6.8 million fine for toxic wastes into waterways causing the death of migratory birds

The working environment is also troubling with five fatalities since 2008 to 2022 on Freeport's Morenci and Chino Mines properties. Then there were also the deaths of three more hauling magnetite from Freeport's Cobre Mines on the Southwestern Railroad when their overloaded brakes failed.

The accumulative effects of nine pits in the groundwater all within a mile of each other at Tyrone have not been studied. Emma Pit should not be considered by itself as it is operationally tied to the other eight adjacent pits at the Tyrone Mine.

Recent heavy rains show clearly the need for 500 year flood planning; no longer does the 10 year flood planning that failed at Chino polluting Whitewater Creek or 100 year planning work with the ongoing climate changes. Mandate 500 year flood planning in all of Freeport's engineering and design at the Emma Pit.

What are the calculations of acre feet of groundwater to be lost at the Emma Pit through sump pumping into the Tyrone Mines, and evaporation causing increased heavy metal concentrations from the "covered" pit lake? Could Tyrone be made to recycle water instead of taking additional clean groundwater? Kennecott used to brag it would recycle its mine water until it wore out. Not Freeport. Backfilling in the Emma Pit would be a first for Freeport and would eliminate troubling pit lake problems such as de-watering into perpetuity. Backfilling would protect wildlife from the pit lake and its heavy metals water.

There are no lined overburden stockpiles of the 400 acres disturbed for the Emma Pit. MMD should mandate lined tailing and overburden stockpiles to prevent further groundwater contamination at all Freeport operations in NM.

A third party should monitor the monitoring wells on adjacent private domestic wells insuring correct data. Mining companies have a dubious self-monitoring record. From the Burro Mountain Homestead to the Apache Mound and Loma Blanca subdivisions Freeport should install, pay and maintain for a freshwater drinking pipeline water system to each home within the cone of depression of all nine pits at the Tyrone Mines.

Copper prices are currently \$3.67 per pound, a high price, expected to rise to \$4.00 a pound in the near future, down from the March 2022 highest price ever of \$5.02 per pound. Freeport's annual stockholder reports say copper mining is very profitable. It will remain profitable with a mandated water system, lined stockpiles, 500 year flood planning and with backfilling of the Emma Pit. Grant County needs to get Freeport to pay its fair share of the \$200 million in back property taxes not paid since 1990.

Thank you for allowing me to enter these public comments. And thank you GRIP and concerned and affected nearby residents for requesting the public hearing.

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