



**New Mexico Environment Department
Announces First Five-Year Review for the
Hurley Soils Investigation Unit of the
Chino Administrative Order on Consent
September 2012**



PUBLIC NOTICE

The New Mexico Environment Department (NMED) will conduct a Five-Year Review, as required by CERCLA § 121 to evaluate the implementation and performance of the soil removal remedy and to determine its continued protectiveness, of the remedial action soil removal for the Hurley Soils Investigation Unit of the Chino Administrative Order on Consent. The Chino Administrative Order on Consent is an agreement between Chino Mines Company, a holding of Freeport McMoRan Copper and Gold Inc., and NMED to investigate potential contamination related to historic mining operations and to remediate contamination as necessary to protect human health and the environment.

The Hurley Soils Investigation Unit (HSIU) Remedial Investigation (RI) indicated that soil in the town of Hurley contained elevated concentrations of metal, primarily copper, as a result of historic ore processing operations. The HSIU Human Health Risk Assessment (HHRA) determined that children may be at risk due to incidental ingestion of elevated copper concentrations found in Hurley in soils.

Chino Mines Company proposed an Interim Remedial Action (IRA) to remove contaminated soil from Hurley properties in a Work Plan dated September 2005. NMED approved the Interim Remedial Action Work Plan in April 2006 and the soil removal was completed in the summer of 2007. Chino submitted an Interim Remedial Action Completion Report (IRACR) in January 2008 and the IRACR was approved by NMED in April 2008.

Following the IRA, NMED developed a Record of Decision (ROD) based on the information provided in the RI, IRACR and other documents in the Administrative Record. The completion of the IRA significantly reduced the potential risk to children from incidental ingestion of elevated copper concentrations in soil. Therefore, the ROD selected the No Action Remedy and no further action beyond the work completed under the IRA is required.

The ROD, RI, HHRA, IRACR and other documents are available for review in the local Administrative Record repositories at the following libraries: Bayard Public Library, Silver City Public Library and Miller Library at Western New Mexico University.

The Five-Year Review will evaluate if the IRA soil removal has been effective in reducing the potential risk of incidental ingestion of copper in soil by children. NMED welcomes any comments and concerns regarding the efficacy of the IRA prior to finalizing the HSIU Five-Year Review Report. The public comment period begins September 18, 2012 and ends October 19, 2012. Members of the public may submit verbal comments at the Community Work Group meetings on September 18 or October 16, 2012 in the Bayard Community Center at 7:00 p.m. Written comments should be submitted to:

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