



PUBLIC INVOLVEMENT PLAN (PIP)

Air Quality Bureau Air Permit Application

Version 07.22.24

Date: December 12, 2024

Applicant: Chino Mine of Freeport-McMoRan Chino Mines Co

Facility Name: Chino Mine

Air Quality Permit Application Number: P066R4

Location: The facility is located approximately 3.89 miles northeast of Bayard, NM: In Grant County, New Mexico

Latitude: 32.783594

Longitude: -108.069195

1. Overview of Air Quality Bureau's plan of action for addressing the community's needs and concerns for processing Air Quality Permit Applications:

The New Mexico Environment Department (Department), Air Quality Bureau (aqb) developed this Public Involvement Plan (PIP) for the processing of air quality permit applications in accordance with the requirements at 20.2.70 NMAC for this facility. This air quality regulation does require public participation outreach throughout different stages of the permitting process. The aqb will meet the public participation requirements by following this PIP, which includes all applicable policy, regulatory and statutory public participation requirements.

In developing this PIP, community participation needs for this permitting action were assessed to ensure appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors (i.e., low income community, minority community, limited English proficiency individuals, Linguistically Isolated Households, etc.) that may impact public participation. This assessment identifies community outreach needs and provides for public access opportunities above and beyond statutorily mandated requirements, and underscores the provision of adequate public access to information about this permit application.

As much as possible, public participation and informational activities related to this permit application will be held within the regulatory timelines outlined below.

- a. aqb regulations at 20.2.70 NMAC require that the application must be ruled complete or incomplete no more than 60 days after receipt. The aqb will publish a public notice for this application in a newspaper of general circulation in the area closest to the location of the facility, when the draft permit is issued for comment. See section 4.c below for more information.

The public notice contains a paragraph in Spanish directing Spanish speaking interested parties to call the aqb at (505) 629-3395 to speak to Spanish speaking staff for additional information regarding this permitting action.

- b. The aqb will provide a copy of the Completion Letter w/Legal Notice, and just [attachment B](#) of the completion letter template that has links for someone to view the application and PIP on our Bureau website PN page to the NMED field office at:

Silver City

3082 32nd Street By-Pass Road, Suite D
Silver City, NM 88061
Phone (575) 388-1934
Fax (575) 388-3258

- c. AQB regulations require that the public notice be sent to interested parties maintained on a mailing list. See Section 4.b below for more information.
- d. AQB regulations require that the public notice be sent to the “affected programs” as defined at 20.2.70 NMAC. See Section 4.e below for more information.
- e. In accordance with the evaluation of the site location and associated demographics, no additional means for disseminating information are planned at this time.
- f. Public notice shall be followed by a 30-day public comment period that starts on the day that the notice is published in the newspaper. See Section 4.g below for details.
- g. AQB regulations require that the permit must be issued, issued subject to conditions, or denied within eighteen months after the department deems the application administratively complete.

2. Contact list of AQB staff with phone numbers and email addresses:

a. AQB contact for questions about this application or PIP (included in public notices and outreach materials):

Julia Kuhn
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, New Mexico, 87505
505-629-2893
Julia.Kuhn@env.nm.gov

Electronic copies will be available at the following link, which will be included in public notices and outreach materials as appropriate: <https://www.env.nm.gov/public-notices/>.

b. Non-English Language Speaker Assistance and Accommodations

The AQB may hold public meetings, open houses, stakeholder meetings, and/or a formal hearing depending on the interest in the application. Language assistance services may be arranged for translation of documents for meetings, for translators during meetings and for obtaining services for persons with disabilities. A phone-based interpretation service may be available for languages other than English.

3. Description of the community/stakeholder groups:

To provide for adequate public participation opportunities and meaningful involvement of persons regarding this permit application and to address potential or existing environmental justice areas, the affected communities must first be identified, informed about proposed environmental

actions affecting the community, and invited to share their comments and concerns. The EJSCREEN tool developed by the U.S. Environmental Protection Agency (EPA) helps identify communities that are low income and minority populations that may benefit from a variety of approaches for notification and outreach communication.

Using the default 4-mile radius from the facility, the results of the EJScreen V2.3 ACS Summary Report (attached) are listed in the table below. [<https://ejscreen.epa.gov/mapper/>]

Population and Income Data			
Total Population:	946	Per capita income of community (2016-2020):	\$27,322
People of Color Population, %:	62%	US Per Capita Income*:	\$37,638
Total number of households:	403	Total Number (and Percent) of Limited English-Speaking Households:	11(2.7%)

*US Per Capita Income 2017-2021; <https://www.census.gov/quickfacts/fact/table/US/INC910219>

¹The Percent of Limited English-Speaking Households, in the EJScreen Community Report, under EJScreen Version 2.3.

Population by Race or Ethnicity, %		Linguistically Isolated Household Details, %	
White	67	Speak Spanish	54
Black	0	Speak Other Indo-European Languages	0
American Indian	1	Speak Asian Pacific Island Languages	46
Asian	1	Speak Other Languages	0
Pacific Islander	0		
Some Other Race	6		
Two or More Races	25		
Hispanic (any race)	61		

In addition, the following community or stakeholder groups have been identified: none.

History of public involvement in air permitting during the last 10 years:

On December 20, 2024, AQB received a citizen comment on the public notice for this facility from Tomas Enos. In addition, on January 9, 2025, AQB received extensive comments from Jeremy Nichols with the Center for Biological Diversity. Until all comments are addressed and resolved, the TV operating permit cannot be issued.

It is important for the AQB to incorporate the linguistic and communication needs of this community when conducting public outreach and participation activities. To help accomplish this, the AQB will provide information in English, in public comment notices, public meeting notices (if applicable), and other announcements (radio broadcasts, brochures, signs, postcards, etc.) and strive to make public participation efforts as inclusive as possible within AQB budget and time limitations. The Silver City NMED field office will serve as access areas for the AQB to leave hard copies of important documents and information about how to comment on this permit application.

4. Detailed actions and outreach activities the AQB Permitting Section will take to reach the affected public:

a. Overview

Based on the demographics report discussed in the PIP, the history of public involvement at the facility and the facility background, basic information about public involvement opportunities will be in English. This information will include how to request materials in Spanish or to speak with AQB staff through an interpreter. Further details about public participation for this activity are outlined below.

The AQB maintains information regarding this air quality permit application at the following locations:

- i. **On the Air Quality Bureau website, see Section 2.a above.**
- ii. **At the District Office listed in Section 1.b above.**
- iii. **At the main office location:**
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, New Mexico, 87505

b. Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List

AQB regulations require notification to persons who have expressed interest in applications. The AQB maintains a mailing list that includes individuals interested in permit applications from particular facilities or geographic areas. Notifications may be sent through physical mail and/or an email.

The list also includes addresses of states, local air pollution control programs, and Indian tribes and pueblos, that are within 50 miles of the source.

c. Notices in the State Newspaper and Local Newspapers

The public notice for this permit application will be published in English in the Legal Section of the Silver City Daily Press newspaper.

Website for this publication is listed below:

Silver City Daily Press:

English: <http://www.scdailypress.com/>

d. Mailing to the Governor or President of Indian Tribes, Pueblos or Nations

AQB regulations and the evaluation of the facility location and associated demographics, require notification to Tribes, Pueblos, or Nations about this permit application for facilities located within a specified distance.

There are no Tribes, Pueblos, or Nations within 50 miles of this facility.

e. Affected Local, State, or Federal Government Agencies, and Active Land Grants

AQB regulations require identifying and notifying local, state or federal government agencies about this permit application.

The following affected Local, State, or Federal Government Agencies will be notified by email:

-US EPA Region VI, Elizabeth (Mary) Layton at r6airpermits@epa.gov & layton.mary@epa.gov

-Forestry Service, USDA Anita Rose - <anita.rose@usda.gov>, Class I Gila Wilderness Area

Colonias: Hanover; Santa Rita; Bayard; and Vanadium located within a 4-mile radius of the facility.

f. Public Meeting Notices, Public Comment Notices, and Other Notices

AQB may hold public meetings, open houses, stakeholder meetings, and/or a formal hearing depending on the interest in the application. Based on historical information and the results of the initial screening, there is no public meeting planned at this time for this permit application. If it is determined that a public meeting will be required, notice will be provided to the community as follows:

- 1) Via a newspaper of general circulation in the area closest to the location of the facility.
- 2) Locations commonly frequented by the general public, such as a nearby post office, public library, or city hall.
- 3) All persons and organizations that have expressed interest and are on a list maintained by AQB.
- 4) Via a public service announcement to at least one radio or television station which serves the municipality or county in which the source is or is proposed to be located.
- 5) The notices will be translated for non-English speaking participants, if required.
- 6) The notices will include information for requesting accommodations for those with disabilities as listed in item 2b above.

AQB will locate an appropriate venue based on the availability to the community to access the meeting, and the specific needs of the affected community (e.g., size of community, community locations, impacts, etc.).

AQB may reschedule the meeting due to inclement weather. If rescheduled, AQB will provide as much advance notice as possible and reschedule for an appropriate time and date.

Meetings will be scheduled to make them as accessible and user-friendly as practical, considering work schedules, dinner hours and other community commitments. To the extent possible, the meeting will be held at a location that is local and convenient, and meet American with Disabilities Act (ADA) standards. In addition, whenever practical and appropriate, translators for limited-English speaking communities, or assistance for hearing-impaired individuals may be available. Information in public notices for a public meeting will adhere to AQB regulations, statutes and policies.

g. Public Comment Periods

AQB regulations require that thirty (30) days shall be provided for public and affected program comment on the draft permit.

The PIP has been reviewed and approved by the AQB Bureau Chief.

For Cindy Hollenberg
Bureau Chief
Air Quality Bureau

Date approved

Attachments: EJSCREEN Printout