

Legal Notice and Preliminary Determination for an Air Quality Permit for New Mexico Copper Corporation

New Mexico Copper Corporation, 2424 Louisiana Blvd NE, Suite 301, Albuquerque, NM has submitted an air quality permit application to the Air Quality Bureau (AQB), New Mexico Environment Department (NMED) for an air quality permit to construct a new facility at the old Copper Flat Mine site. The application file has been assigned Permit No. 0365-M3 and TEMPO Agency Interest ID No. 1535. The exact location of the facility is latitude 32 degrees, 57 minutes, 59 seconds and longitude -107 degrees, 31 minutes, 24 seconds. To aid in locating this facility, the approximate location is 4.2 miles northeast of Hillsboro, New Mexico, in Sierra County.

The proposed new construction will consist of blasting, mining, truck traffic, crushing/milling, floatation operations, and tailings operations. The process rate of the facility will be approximately 25,000 tons per day. The facility is asking for 24 hours per day and 7 days per week operations.

Total air pollutant emissions to the atmosphere are estimated to be approximately Nitrogen Oxides (NO_x) at 54 tons per year (tpy); Carbon Monoxide (CO) at 214 tpy; Sulfur Dioxide (SO₂) at 6.4 tpy; Total Suspended Particulate Matter (TSP) at 657 tpy, Particulate Matter 10 microns or less (PM10) at 222 tpy, and Particulate Matter 2.5 microns or less (PM2.5) at 48 tpy. The facility is a minor, < 100,000 tpy CO_{2e}, source of green house gas emissions. These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and applicant's analysis of ambient air quality impacts indicates that the facility's air emissions will meet the ambient air quality standards for NO_x, CO, SO₂, TSP, PM10, and PM2.5. A full review will evaluate the estimated emission rates for the pollutants listed above and the air quality analysis to determine compliance with the associated ambient air standards and requirements.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 3, 7, 72, 73, 75, 77, and 82; 40 CFR 50; 40 CFR 60 Subparts A, LL, and IIII; 40 CFR 63 Subparts A and ZZZZ; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before June 25, 2013. This source is a minor source according to 20.2.74 NMAC, PSD.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions and production rate, and conditions that will require record keeping and reporting to the Department.

The permit application is available for review in electronic or hard copy at the Air Quality Bureau Office, 1301 Siler Road, Building B, Santa Fe, New Mexico. To arrange viewing of this application contact Teri Waldron, at 505-476-4355 or teri.waldron@state.nm.us. The permit application is also available at the NMED Los Cruces Field Office, located at 1170 North Solano Drive, Suite M, Las Cruces, NM 88001, for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, site name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of

applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Sam Speaker, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 1301 Siler Road, Building B, Santa Fe, New Mexico 87507-3113.

The Department will notify all persons, who have provided written comments, as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing prior to the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment prior to the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Sam Speaker at 505-476-4351. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.