

Legal Notice  
and  
Preliminary Determination for an Air Quality Permit for  
Freeport-McMoRan Chino Mines Co

Freeport-McMoRan Chino Mines Co at PO Box 10, Bayard, 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 modify Chino Mine. The application file has been assigned Permit No. 0298M11 and TEMPO Agency Interest No. 526. The exact location of the facility is at latitude and longitude decimal degrees: 32.783594, -108.069194 Datum: WGS84. To aid in locating this facility, the approximate location is 3.89 miles NE of Bayard in Grant County, NM.

The proposed modification will consist of constructing a material borrow pit near the Cobre Haul road to provide material for maintenance of the facility haul roads.

Total air pollutant emissions to the atmosphere are estimated to be approximately Nitrogen Oxides (NOx) at 281.6 tons per year (tpy)(225.4 from Non-Fugitive Sources (NFS) (+0.05)); Carbon Monoxide (CO) at 1452.9 tpy (106.5 from NFS) (+1.22); Volatile Organic Compounds (VOC) at 21.4 tpy (17.0 from NFS) (NC); Sulfur Dioxide (SO2) at 4.1 tpy (3.7 from NFS) (NC); Particulate Matter (PM) at 17,641.6 tpy (34.7.0 from NFS) (+0.06), Particulate Matter 10 microns or less (PM10) at 4,697.0 tpy (31.8 from NFS) (+0.06), and Particulate Matter 2.5 microns or less (PM2.5) at 503.4 tpy (24.8 from NFS) (+0.003). The facility is a major, > 75,000 tpy CO2e, source of greenhouse 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 dispersion modeling analysis indicates that the facility's air emissions will meet the ambient air quality standards for NOx, CO, SO2, PM10, and PM2.5. A full review will evaluate the estimated emission rates and the air quality dispersion modeling analysis to determine compliance with ambient air standards.

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, 22, 61, 72, and 73; 40 CFR 50; 40 CFR 60 Subparts Dc, GG, LL, IIII, and JJJJ; 40 CFR 63 Subparts A, ZZZZ, and CCCCCC; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before November 02, 2022. This source is a PSD minor source according to 20.2.74 NMAC.

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

Due to the public health emergency order, certain NMED offices are closed to the public. The permit application is available for review on the aqb Public Notices of Permitting Actions website [www.env.nm.gov/public-notice](http://www.env.nm.gov/public-notice).

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, facility 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 Joseph Kimbrell, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816, or submitted by email to [joseph.kimbrell@state.nm.us](mailto:joseph.kimbrell@state.nm.us).

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 before the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment before 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 Joseph Kimbrell at 505-629-2718. 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. Este es un aviso de la oficina de Calidad del Aire del Departamento del Medio Ambiente de Nuevo México, acerca de las emisiones producidas por un establecimiento en esta área. Si usted desea información en español, por favor comuníquese con esa oficina al teléfono 505-372-8373.

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