

I would like to start by thanking the committee for allowing me the opportunity to come before you to voice my concerns and to respectfully request that you reject the proposed amendments to The Copper Rule and remand it to NMED. My name is Tammy Arguello and I am a resident of Bayard, New Mexico, a community directly south of Chino Mine, a Freeport MacMoRan owned mine.

Whitewater Creek snakes its way through much of my town including past Snell Middle School. All you have to do is walk about fifty feet and you are off school grounds and in the middle of the creek. About thirty years ago, I was a student there, as one of my sons is now, and the other will be next year. During art class we were allowed to go outside and pick something to draw. Of course, being a class full of typical 13 year-olds, we would quickly draw whatever we saw first then find some other form of entertainment. On one particular day we decided to cross the creek and get as far as we could before class ended.

Whitewater Creek was always flowing. We knew it was runoff from Chino Mine and that it wasn't healthy but 13 year-olds don't worry about things like that. We crossed. Most of the time you could jump from one dry patch to another and not worry about landing in the water. It wasn't possible on this day, and I remember the thought that went through my head as my brand new white canvas tennis shoes sunk into the muddy, rust colored water, "Uhoh, she's gonna know exactly where I've been." You can probably guess who "she" refers to, yes, of course, my mom. How would she know? Everyone knew that anything permanently stained that sickly-orange, rusty color had come in contact with one thing, water from "the

Mine.” We also knew that in years past, when wastewater from the mines in operation, was allowed to free flow through the Whitewater Creek watershed, that you could set up a simple system to collect your own copper. Tin cans were placed along the edge of the creekbed, where the copper-rich wastewater would flow over the cans. The copper compounds would react with and attach to the metal of the cans, and of course, the acid in the wastewater would eventually dissolve the metal of the can and leave you with copper deposits. Many of the miners who lived in the Bayard area did this. Why do I tell these stories you might ask, because I think it’s important for you to know that for generations, we have been aware of the pollution that has been allowed to continue. There are stories throughout our community that our miners have brought home and told to their families, while they sit around the dinner table or on the front porch after a hard days work. They have stories of metal drums of arsenic being poured into areas as part of the leaching process. Do you remember the movie “Salt of the Earth?” That story is about My People, it’s a true story. The people decided to make their voice heard, they wanted safe working conditions, fair wages, seems reasonable. There was a strike, the men picketed the company, “The company” filed an injunction to keep the workers from coming onto company property, so the men picketed just beyond the border of company property. The women decided it was their turn to stand up for the rights of their husbands and families and they took to the picket line themselves. The times being what they were, the children were always with their mothers and therefore at the picket lines also. Entire families were there daily, standing up for

what they believed in. Eventually, the company men had had enough. Security guards were sent to confront the women, and what a confrontation it was. There was pushing and shoving, intimidation, shots were fired, a woman was injured. Chaos erupted. Women sent their children to run up the hill behind where they picketed as the women ran forward to protect each other. The husbands heard gunshots and came to protect their families. Law enforcement was called and all the women and children who were on company property were gathered up and taken to the local jail, for their own protection, and to prevent further confrontation between the men and the company. I know this, not because of the movie, but because my grandfather was one of those miners. My grandmother was in one of those jail cells with her friends and their children. My mom was one of those children. There has always been an uneasy relationship between “The Company” and the people of the mining communities. We are thankful that we are given the opportunity to earn a living and provide for our families. We also know that, what I will call collectively “the company” has never operated with transparency in its dealings, not before it was Kennecott, as Kennecott, when it was Phelps Dodge, or now as Freeport. Today I must be one of those women, like the ones who came before me, to stand up and protect my family and the other families in my community from further harm. I pray that you will hear my words and know that you cannot allow this version of The Copper Rule to pass. What kind of legacy will we leave to the children of this area, and all future generations who will live here. Once the harm is done, and the water is polluted, that is

something that cannot be undone, not ever, no matter how much we try. Prevent more harm from being done. The Copper Rule, as it is proposed now, does not even provide the protections that we currently have. Instead, it allows companies, not just Freeport, but also any future companies, to continue to dump thousands upon thousands of gallon of chemicals into our land. No liners, no rules, no safeguards to protect our water. We drink that water daily. I ask you this, Would you drink that water? Would you give that water to **your** children?

It is my understanding that Governor Martinez supports the proposed amendments to the Copper Rule, as does the NMED, any agency full of personnel she has appointed, because it's good business. How can it be good business to allow companies that operate in our state to pollute our land and our water? The company in question has the means to protect the people of the communities in which it does business. How difficult or costly would it be to use industry best practices to protect the people who work for them, these same people who provide the labor necessary to operate a profitable business. If they will not be good stewards, then they must be made to be good stewards. Can you look at my children, can you look at me and the countless people this will affect and tell me we don't deserve to be protected. That money and business are more important? What legacy will we leave? Please, do not pass the proposed amendments, they do not protect our water. I will leave you with this:

Proverbs 28:6

Better is a poor man who walks in his Integrity

Than a rich man who is crooked in his ways.  
Thank you for your time and consideration.