

Castaneda, Pam, NMENV

From: jon spar <jsparkkuli@yahoo.com.au>
Sent: Wednesday, April 03, 2013 8:37 PM
To: Castaneda, Pam, NMENV
Subject: WQCC Case no. 12-01(R) The Copper Mining Rule

Comment on proposed ruling

The new ruling is dangerously deficient in that effluent of mine waste is not contained in a holding pond but allowed to drain downhill and then (hopefully) captured in a well. This is extremely poorly thought out by the concerned with water quality and keeping contaminated water from uncontaminated sources. A pit system with a double liner is the least that should be used without exception. Recycling of water and strict monitoring of leaks or contamination paid for by the mining companies but performed by an outside agency known by the WQCC to operate with only the highest standards is also mandatory.

Of course the mining companies like their rules as it will be far cheaper and depending on the well number and monitoring could very well absolve them of any responsibility.

Regardless of any potential favoritism or the possibility of corrupt practices of a certain copper mining company having a heavy hand in making these industry favorable rules the real threat of water contamination in our state must be taken very seriously. We are in a severe drought that only promises to become worse with climate change and every source and gallon of clean (uncontaminated) water is too precious to be used in an unscrupulous fashion to the detriment of the health and water safety of this state.

I strongly urge the Commission to take very strong action to protect our water from any and all known and potential sources of contamination and pollution. If this means that a copper mining company makes less money but fewer people are sick and our environment more healthy then I trust the WQCC to make the correct and morally right decision.

Jon Spar, MD

Board of Directors WildEarth Guardians

Castaneda, Pam, NMENV

From: Carol Pittman <pittray@gilanet.com>
Sent: Wednesday, April 03, 2013 5:54 PM
To: Castaneda, Pam, NMENV
Subject: Case No. WQCC 12-01(R), The Copper Mine Rule.

Dear Ms. Castaneda,

Are we still citizens of a democracy? Or are we all subjects of the corporate interests? I was horrified recently when I read: "After an eight-month stakeholder process to develop a draft rule that would be protective of groundwater at copper mine sites and provide regulatory certainty to industry, New Mexico Environment Department(NMED) upper-level managers ignored the recommendations of NMED technical staff and many stakeholders from its own Copper Rule Advisory Committee, and instead adopted the mining industry's draft rules. The proposed rules will reduce water quality protections that have been in place in New Mexico for over 35 years."

Can we the taxpayers of New Mexico trust any longer the people whose salaries we pay?

From your own website comes the following mission statement: "Mission: To preserve, protect and improve New Mexico's ground water quality for present and future generations. Overview: The role of the Ground Water Quality Bureau is to protect the environmental quality of New Mexico's ground water resources as mandated by the Water Quality Act and the Water Quality Control Commission (WQCC) regulations (20.6 NMAC), and to identify, investigate and clean-up contaminated sites which pose significant risks to human health and the environment."

Most of us have full time occupations, families and property to take care of and cannot, therefore, spend full time monitoring what our government officials do. We expect that you who are assigned to do the work of the people will do that work, not be the puppets of the industries that often stick us with the clean-up bills of their messes (as your mission statement clearly points out). The idea that your department would ignore the hard work of those who sought to bring fair and reasonable rules to the table is outrageous.

I hope that you will heed the work of your own Copper Rule Advisory Committee and adopt their rules.

Thank you,
Carol Pittman
Datil, New Mexico
575-772-5866

Castaneda, Pam, NMENV

From: Stan and Robbin <stanandrob@windstream.net>
Sent: Wednesday, April 03, 2013 3:21 PM
To: Castaneda, Pam, NMENV
Subject: Copper Flat Mine proposal - Case No. WQCC 12-01(R)

My name is Stan Brodsky and I live in Hillsboro, near where Themac wants to re-open the Copper Flat Mine. My overriding concern relates to available, clean water for all of us in Sierra County. The representatives of the Mine say tl will use approximately 300 acre-feet of water per year just to mine the copper. By my simple calculations, that's like adding 300 families to Hillsboro, at a time when we're in a significant drought. Several months ago a neighbor of mine had to drill another well because the first one went dry. He had to go down 400 feet to get water. And over and above tl water usage would be water usage that all the people moving into the county to work at the mine will use. I am told tha will be several hundred people, and that could result into several hundred acre-feet more of water usage.

Of course I'm also concerned about water quality, as well as what will happen to our roads (NM 152 and NM27) when continuous line of very heavy trucks ride on the roads. And of course I'm also concerned about traffic because of the number of people who will have to move here to work at the mine. But, my primary concern is availability of water. I hope the county and the state care about that as much as I do.

Stan Brodsky
39 Tulpia Trl
Hillsboro, NM 88042

Castaneda, Pam, NMENV

From: Cathy McManus <chuck_cathy@q.com>
Sent: Wednesday, April 03, 2013 12:54 PM
To: Castaneda, Pam, NMENV
Cc: 'Max Yeh'; 'Eleanor Bravo'; 'Theo Andrés'; 'Robert A. Anaya'; 'Bernard Schaer'
Subject: Copper Mining Regulations Case No. WQCC 12-01(R),

Hello Ms. Castaneda,

I may or may not be attending the public hearings regarding the change in water contamination requirements for Copper Mining written with the help of Freeport-McMoRan who obviously has a special interest in making the current rules more lenient and convenient for their enterprise. New Mexico's drought conditions are horrific with 89.9% of the state in severe drought conditions, 49.9% of the state is in extreme drought conditions and 4.3% is in exceptional drought conditions. We can't afford for a single drop of water much less than 1,000's of acre feet of ground water to be polluted.

To create rules that would make it easier for the mining and oil and gas companies (utilizing fracturing) less restrictive regarding contamination levels and not be liable for cleanup and contamination in the state would be unconscionable say the least. With the reality that our water resources are so little and the possibility there will be shortages in the future, NM should actually ban any industry that utilizes any water for products that are absolutely not necessary. Copper and oil from tar sands are not necessary. Both of these industries will contaminate the water resources and their effects are not reversible. Water contamination is not a legacy we want for the state of NM.

Gov. Martinez is wrong in developing relationships with companies who will harm NM in the long run. Ms Martinez needs to push the envelope and develop energy resources that are sustainable, earth friendly and create more jobs for the state. I hope that the state will not accept these new rules and will actually discourage industries that need water to conduct their businesses especially if there is any chance of water contamination.

~Regards,
Cathy McManus
61 Living Water Rd
Cedar Grove, NM 87015
505-286-7720

Castaneda, Pam, NMENV

From: Jean Eisenhower <jean7eisenhower@gmail.com>
Sent: Tuesday, April 02, 2013 8:10 AM
To: Castaneda, Pam, NMENV
Subject: NO to mining industry draft rules!

To the WQCC:

Please hear this citizen's request to abide by the State Water Quality Act, respect the last 35 years of water quality protection efforts, and NOT pollute our groundwater by passing the industry draft rules, i.e., NO industry draft rules! Protect the people and the environment. Industry must adapt.

Jean Eisenhower

806 W Market Street

Silver City, NM 88061

(575) 534-0123

jean7eisenhower@gmail.com

New Mexico Water Quality Commission

Attn: Pam Castaneda

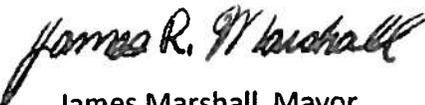
I am the Mayor of the Town of Silver City having held this office through four elections beginning in 2006. I am writing to express my support of the Water Quality Commission (WCC) developing rules for the protection of water that may be impacted by copper mining activities. There are well over 100 documents already filed on the current proposed rules. I have reviewed several and do not intend to review them all. As Freeport McMoRan (FMI) states in the brief received by the WCC on December 12, 2012, "This new regulatory paradigm will provide the copper industry with far greater certainty on the regulatory requirements, which will assist it in the planning for the future and ensuring that its actions conform to the law." Obviously knowledge of any issues that affect ones business is critically important to successful planning for the future and decrease in costs associated with reactive regulations. The Town of Silver City is the largest water supplier within Grant County and operates numerous wells just north of the mining operations; we feel that these rules must protect our water resources while not providing an abundance of unproven requirements on the industry that will harm the viability of these mining operations and may not be proven protect water quality. We cannot and should not jeopardize our water while at the same time we do not need to give this industry a reason to leave New Mexico. The statutory requirements of the WCC are clear, "specify in regulations the measures to be taken to prevent water pollution and to monitor water quality." We have been informed that the proposal currently on the table is a codification of the current practices, as well as being the most stringent regulatory framework in the country regarding copper mining and water regulation. Accepting this as fact, with the statutory requirement that this commission and these regulations prevent water pollution and monitor water quality, I have no objection.

Although the applicable statutes don't consider an economic impact of any copper mining in the consideration of the regulations, I think it is important to understand why this topic is

important to our area beyond quality water now and in the future. The copper mining industry has a well over 100 year history in Grant County and many of our local families are multiple generation miners. With Silver City being the largest municipality within Grant County we have seen the effect of mining within our community and our residents have enjoyed the economic benefits afforded by having this industry within our region. Historically the area has been very dependent upon the economic benefits of copper mining. Our area prospers and slows with the ebb and flow of the industry. For many of the past 100 years mining has been the largest employer within Grant County. Silver City has been a leader in innovation in this state for well over our 100 year history. We had the first independent school system, the first municipal water system the first downtown in NM build to last out of masonry. The local naturally occurring minerals in our area from copper, gold, silver and others has provided sustainability to this region. In a publication I read from the late 1800s, let all of New Mexico be like Grant County and we can honestly say that NM is a great state.

In closing we trust that the WCC will perform its statutorily imposed responsibility and that sufficient safeguards are in place to ensure compliance. With the new Copper Rules implemented, Silver City will enjoy many more years of clean water and a healthy economy.

Respectfully,

A handwritten signature in black ink that reads "James R. Marshall". The signature is written in a cursive, flowing style.

James Marshall, Mayor

Town of Silver City