

Meeting #18  
**April 24, 2014**  
**MEETING SUMMARY**

### Meeting Attendees

*Community Working Group members present:*

George Martin – JF Ranch  
Lynn Martin – JF Ranch  
Fred Gaudet – Arizona Trail Association  
Nancy Vogler – LOST Trail & Superior Copper Alliance  
Pam Bennett - Queen Valley HOA  
Cecil Fendley – Queen Valley Water Board  
Bruce Wittig – Queen Valley Water Board  
Roy Chavez - Concerned Citizens and Retired Miners  
Mark Siegwarth – Boyce Thompson Arboretum  
Pam Rabago – Superior Chamber of Commerce  
Bill Vogler – LOST Trail & Superior Copper Alliance  
Jeff Bunkelmann – Central Arizona College

*Community Working Group members not present:*

Matt Nelson – Arizona Trail Association  
Steven Byrd – Superior Junior-Senior High School  
Dominic Perea – Superior Junior-Senior High School  
Martin Navarrette – Superior Little League

*Resolution Copper:*

Melissa Rabago – community outreach coordinator

*Facilitator – Godec, Randall & Associates (GRA)*

John Godec  
Debra Duerr

*Guests:*

No guests

### Housekeeping

Evelyn Vargas from Cobre Valley Regional Medical Center was introduced to the group as a new member who will be replacing Frank Stapleton. She will alternate with Neal Jensen in attending meetings.

The group decided to **change the CWG meeting dates to the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of each month**, rather than Thursdays, mainly because of conflicts with

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the Planning Commission meetings. Melissa Rabago noted that she and Vicky Peacey cannot attend on May 7 because of a community meeting.

Rabago gave an update on the coordination meetings between the Town of Superior and Resolution. She said that the meetings have gone well, although not much of substance has happened. The current task is to decide how to proceed and what topics to address first.

A member observed that she thought some of the Town Council members may not have been attending Resolution's community meetings, as they did not seem knowledgeable about the project. In reference to a comment made by a Resolution representative at a meeting about encouraging vendors to locate in the area to receive tax benefits, a CWG member expressed the opinion that the Council should seriously consider annexation of areas adjacent to the Town of Superior to ensure that new businesses are located within the Town boundaries. For example, annexation of the West Plant area would allow the Town to apply some taxes to that facility. He said that this idea has been discussed, and has been controversial, for over a decade. There was discussion about this idea, and some of the economic benefits and improvements that could follow from it.

A member said she has heard that there would be no agreements between Resolution and the community until the town signs a letter of support for the Resolution Copper Project. Melissa Rabago said that this is not true. There was some discussion about the issue of the community's trust in the Town Council and how this might affect community enhancement programs. Rabago offered to the group that Dave Richens could come back and talk with the CWG about his conversations with the Town, if desired.

John Godec showed the group a master list of topics that have been suggested by members for discussion at future meetings. He asked if any others should be added. The group offered these suggestions:

- What happens to private individuals who will be living near and behind the tailings site, specifically along Hewitt Station Road?
  - Property value is a major issue.
  - Displacement of currently-used grazing land to the tailings area.
- Difference between "legislative" and "administrative" land exchange options. A member speculated that this option was chosen because the land was withdrawn by Executive Order, and so cannot be disposed of administratively. We will invite someone to come and talk to the group about this.
- Learn more about the Mining Law of 1872.

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One of the proposed topics is to invite people who oppose the mine to come speak with the group. Members agreed that they would like to do this. Godec asked if there are groups who are advocating in favor of the mine, and should we also invite them? It was agreed that any such groups would be invited, and that we establish some guidelines to avoid the kinds of uncivil debates that frequently take place. Suggestions included no verbal questions or comments to the presenters during the meeting in which their presentation is made and presenting written, clarifying questions to them only. CWG discussion about these presentations would take place only at a later meeting. Groups representing each perspective would be invited to a separate meeting, not at the same time. Roy Chavez said that there is a coalition of people who are able to make a presentation, talk with the group, and answer written questions. He offered to help arrange for this. The group suggested that they would like to hear this presentation at the May 21 meeting. A format was suggested that we prepare a similar set of questions for each group. Main issues of interest include the presenters' thoughts about method of mining, water, air quality, NEPA procedure, project employment, recreation, land exchange, environmental impacts to mine area, economic effects, and Native American rights and religious freedom.

A member said she had heard that if the project is not approved through the NEPA process, the federal government would need to pay the company for the value of the vein of copper. Several members responded that this is not correct.

The group agrees that Resolution shouldn't simply turn "mitigation" funds over to the Town Council, so that will be a topic of discussion when we talk about community enhancements.

### **Update on Remediation and Reclamation of Previous Mining-Related Sites**

Presenter: Casey McKeon, Resolution Copper

Casey McKeon talked to the group about Resolution's plans for reclamation of the West Plant Site. As background, she explained the 2004 "earn agreement" that divides ownership of the site 45% BHP and 55% Rio Tinto, who is also the site manager. The property line defines associated responsibilities. Reclamation and permitting for a voluntary remediation program was started on this site in 2009. The source of the contamination was a tailings spill in the mid-1990s that resulted in elevated levels of lead and arsenic, with a cleanup program being completed recently.

Regulatory programs that govern the cleanup include Aquifer Protection Permits from the state Department of Environmental Quality, Volunteer Remediation Program, also under ADEQ, and the Arizona State Mine Inspector under the Mine Land Reclamation Act. The Volunteer Remediation program deals with smelter-affected soils and addresses human health risks. She showed an aerial photo outlining affected facilities

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and remediation areas relative to the Town of Superior. Contamination materials include sulfites, copper, chromium, arsenic, and lead from the old tailings and smelter that was shut down in 1971. Cleanup includes about 14 million tons of tailings and 2 million tons of waste rock stored at the surface, and 7 tailings and settling ponds covering about 175 acres, of which 75 acres are completed.

The site rehabilitation program included evaluation of unused buildings and infrastructure for demolition; consolidating, covering and planting waste rock dumps; cleaning original storm water channels; and draining acidic tailings ponds and re-contouring them. Resolution is working on a risk assessment for constituents of concern (lead, copper, and arsenic) that will result in a remedial action program. This will consider the receptor (type of people affected), type of exposure pathway (breathing, skin contact, etc.), duration of exposure, and other things.

The area around the old tailing pond shows about 500 parts per million (ppm) lead, contrasted with the residential standard of 10 ppm, so there is a significant amount of remediation that will be needed although residential levels will not be achieved. There is an association with arsenic levels as well in the area surrounding the smelter. She noted that arsenic from smelters is different from naturally-occurring arsenic, and has different characteristics that may or may not be more hazardous. She showed graphics illustrating distance from the sites versus contamination levels.

The Lower Smelter Area remediation of about 10 acres will be started in July this year. The contractor will monitor vibrations, air, and water quality and will mulch and reseed. Tailings Pond 6 water will be cleaned and closed in 2015. She showed the Upper Basin Closure as an example of re-vegetation methods.

Questions and comments from the group included the following:

- Is Resolution required to do this remediation?
  - Yes, but it's a matter of timing. Reclamation must be done when mining is completed, but Resolution has chosen to clean it up now. Resolution "inherited" these sites from Magma Mining.
- There was discussion about mining practices, environmental requirements, and financial assurances today compared to what was required in the past, which was not very restrictive or effective.
- What type of bond would be required for the new tailings site (as compared to what might have been required in the past for older sites)?
  - Resolution's financial assurances will need to cover the costs of closing the facility, post-closure monitoring, and reclamation.
  - A member noted that the San Manuel Mine is a good example of post-closure activities.
- Will the US 60 road widening project be affected by the high lead contamination area?
  - It may be avoided, or Resolution will need to clean it up.
- What does the contamination look like at the National Forest boundary?

- It's much lower.
- All the contamination from historic smelters in Arizona may have contributed to the discussions about what constitutes "background" levels of arsenic in the state.
- Why was BHP allowed to contaminate this site so badly so that residential cleanup levels can't be achieved?
  - McKeon noted that the driving question is how bio-available is the contamination? For example, with arsenic, ingesting it is the pathway. This will be evaluated in the risk assessment.
- What type of arsenic would there be at the new tailings site? How would people be affected by it?
  - We will need to ask Frank Deal for help answering these questions.
- Will any of the old historic buildings be kept/saved as part of the remediation?
  - Resolution is evaluating that, based on structural integrity and other factors.

### Community Enhancements Discussion

Due to time constraints, the group did not discuss this topic. We will continue it at the next meeting.

### Public Comments

There were no public visitors at the meeting.

### Final CWG Comments and Future Meeting Planning

#### ***Next Meeting 5:30 pm May 7, 2014***

Several members wondered why we aren't able to get the young people to come to meetings. Godec said that they are apparently busy with school-related activities. He spoke with their teacher about possibly finding other representatives if the current members are unable to participate. A change would likely not take place until after summer vacation. A member suggested that community college students would be a good addition to the group. Dr. Bunkelmann noted that the school is quite far away for students to attend meetings but agreed to explore the possibility of offering some kind of academic credit to the right student candidate. Melissa Rabago noted that Resolution has an education committee involving several institutions for geology and science students who are juniors and seniors, and she said there is an education committee meeting Tuesday May 13 at 3:00 PM. She invited CWG members to attend.

After the meeting, the Arizona Trails representative informed the facilitator that he can no longer attend due to personal constraints, and it will also be difficult for others to attend because of distance. A new representative may be available in September.