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6202 East Oak Street Tucson,  
AZ 85711  
September 12, 2024

Karen Peters  
Arizona Department of Environmental Quality Executive Deputy Director  
1110 West Washington Street  
Phoenix, Arizona 85007

Dear Ms. Peters:

This letter comes to you in reference to the proposed mining activity by Hud-Bay in the area of the Santa Rita Mountains and Hud-Bay's application for an air permit.

At the August 14 meeting held in Corona de Tucson, I referred to the track record of Hud-Bay and their dealings with communities. I listed sites where Hud-Bay has mined:

Lote Ocho and el Estor in Guatemala. The Constancia mine near Cuzco in Peru.

Even in Flin Flon, Manitoba in Hud-Bay's own nation of Canada, Hud-Bay has harmed the environment and abused community members when they tried to resist.

Interactions between community members and Hud-Bay are described in "Flin Flon Flim Flam," a documentary by John Dougherty.

The degradation of the environment in Flin Flon is well documented by Isabel McMartin in a study she led. She found plumes of lead, arsenic, zinc, mercury and others. She published her findings in the *Canadian Journal of Earth Science*.

Hud-Bay's track record is laden with human rights violations when community members attempt to resist the destruction of their land, yet this clear history fails to even raise eyebrows among those of you who determine whether Hud-Bay can operate their mine in Southern Arizona. You must recognize that history and track records are important. That is why we invented resumes.

Speaking of track records, let us look at some mines that ADEQ has permitted. The source of my information is Bonnie Gestring, program director of Earthworks. She has been reviewing mines for decades.

The Silver Bell mine was fined for violations, among them, in 2009, it was fined for wastewater spills that contained arsenic, cadmium, chromium, sulfuric acid.

Due to a storm, Pinto Valley leaked 11 pounds of lead and 214 pounds of arsenic into Pinto creek, a tributary to Roosevelt Lake.

Mission Complex was found to have released 145 pounds of lead sulfide in 2011 (according to a news article).

In 2012, the Morenci mine was fined \$6.8 million by the feds for polluting air and water with sulfuric acid and heavy metals.

Bagdad, Sierrita, Ray, Phoenix, Miami... all leaked dangerous substances.

All were permitted by ADEQ. ADEQ did not protect Arizona from dangerous pollution.

So now we should trust that you will protect the air from Hud-Bay's tailings, which we know will contain lead and other materials.

I recall from the August meeting that you said your models anticipate area winds that top out at 45 mph and you base the reach of tailings being blown within a tight area based on that presumption.

The basis for this model is false.

Jeffrey T. Davis and Craig Shoemaker published a paper in 2008 titled "Hazardous Weather Climatology for Arizona." It reviewed weather from 1950 to 2004. This paper comes from the National Oceanic and Atmospheric Administration's (NOAA) web site, so it has scientific credibility.

Davis and Shoemaker found that "Arizona averages 29 severe wind events per year, with the greatest concentration over the southern-most climate regions" (5). It defines a severe wind event as one when winds exceed 58 mph (5).

In fact, most of us have received alerts on our phones from the NWS, a branch of NOAA, about a thunder storm in the area with winds at or exceeding 60 mph.

The paper also described the presence of tornadoes associated with thunderstorms, albeit low level F-1 and 2, on a scale of 0 to 5, 5 being most devastating. Still, weather events and the associated tornadoes bring winds that exceed 45 mph. Davis and Shoemaker go on to say that "Statistics reveal that the lower valleys of Maricopa, Pinal, and Pima counties... are well-defined maxima for tornadoes" (4).

We also frequently see dust devils in this region. Davis and Shoemaker defined these as "small vortexes not associated with thunderstorms" (14). They said that the "Winds of dust devils can reach up to 70 mph" (14).

So we know that the model ADEQ uses to issue its air permit has serious flaws.

We know that if you permit construction of the mine, Hud-Bay will pollute the air. We know that lead and other substances will contaminate the ground for miles around.

At the August meeting, you instructed concerned citizens to call you when they see signs of pollution occur, but that would be to call you after the horse has left the barn. You then fine Hud-Bay, Hud-Bay chalks the fine up to the cost of doing business and we are left with the contamination.

That is how this is playing out.

We have seen this dance before.

At the info meeting in August, I understood you to say that you are bound by laws legislated by the State, and that if the mining company does the paperwork and follows the recipe, you must grant them permission. I almost feel sympathy for your position.

You are only following orders ....

I object.

You are scientists and educated people. You have allowed the State to relegate you to become a rubber-stamping agency instead of the protectors of the environment out tax dollars pay you to be. If you ignore Hud-Bay's fraught history and issue this permit, you will sentence this landscape to be blown to smithereens and community members to be poisoned AND you know that to be true.

You have a chance to protect the land and the living communities in and around the Santa Ritas.

Please, step up and do the right thing.

Respectfully,

Linda E Bayless