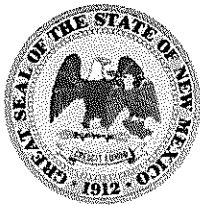


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SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

Harold Runnels Building  
1190 St. Francis Drive  
P.O. Box 5469, Santa Fe, New Mexico 87502-5469  
Phone (505) 827-2855 Fax (505) 827-2965  
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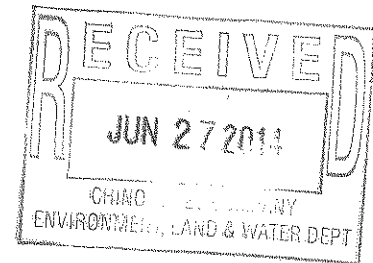
RYAN FLYNN  
Secretary

BUTCH TONGATE  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

June 26, 2014

Ms. Sherry Burt-Kested, Manager  
Environmental Services  
Freeport-McMoRan Chino Mines Company  
P.O. Box 10  
Bayard, New Mexico 88023



**RE: Approval of the Year 4 pH Monitoring Report  
Smelter\Tailing Soils Investigation Unit (STSIU)  
Chino Administrative Order on Consent (AOC)**

Dear Ms. Burt-Kested:

The Ground Water Quality Bureau of the New Mexico Environment Department (NMED) has reviewed the ARCADIS submittal titled, *Administrative Order on Consent, Year 4 pH Monitoring Report, Smelter\Tailing Soils Investigation Unit* (Report) received April 29, 2014. The Report was prepared by ARCADIS on behalf of Freeport McMoRan Copper & Gold, Chino Mines Company (Chino). NMED accepts this document as written with the following comment and request for additional information.

**Comment and Request for Additional Information**

1. The conclusion on page 11 "...that pH is not quickly reverting to low values post-white rain" does not appear to be true for the year 1-3 period where pH declined at several locations. Year 4 then seems to trend higher in pH. Please clarify and/or discuss.
2. On page 11, ARCADIS states that the "significant decrease in total copper after 2010 will be investigated as part of the year 5 monitoring report." NMED would be interested in how Chino/ARCADIS is changing or adding to the approved workplan analysis (ARCADIS 2010) in Year 5 to help explain the decline in copper concentrations. Please provide a description of the proposed additional work for NMED review before conducting the Year 5 fieldwork.

Ms. Sherry Burt-Kested  
6/26/14  
Page 2

If you have any questions, please contact me at (575)-956-1550.

Sincerely,

A handwritten signature in black ink that reads "Matt Schultz". The signature is written in a cursive style with a large, sweeping flourish at the end.

Matt Schultz, Chino AOC Project Manager  
Mining Environmental Compliance Section  
Ground Water Quality Bureau  
New Mexico Environment Department  
Silver City Field Office

cc: Petra Sanchez, USEPA (via email)  
Kurt Vollbrecht, NMED (via email)  
Joseph Fox, NMED (via email)  
Mark Lewis, Formation Environmental (via email)  
Joe Allen, Formation Environmental (via email)  
Ned Hall, Freeport-McMoRan Copper & Gold (via email)  
Pam Pinson, Freeport-McMoRan Chino Mines Company (via email)