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JOHN A. SANCHEZ
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Ground Water Quality Bureau

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RYAN FLYNN
Secretary

BUTCH TONGATE
Deputy Secretary

Certified Mail Number: 7009 2250 0001 5482 9073
Return Receipt Requested

March 10, 2014

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

RE: Conditional Approval of the Phytotoxicity and Vegetation Community Study Workplan dated 3-4-14
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) received the above referenced Phytotoxicity and Vegetation Community Study Workplan on March 6, 2014. NMED has completed a review of the Workplan, and Chino has sufficiently addressed the comments listed in the NMED letter dated February 20, 2014 except for the continued two instances of the term "Reference" in Section 3.0. NMED conditionally approves this final version of the Workplan as long as those sites are treated and referred to as "De Minimus" in the vegetation community study results and report as previously discussed during a conference call.

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

Sincerely,

A handwritten signature in blue ink that reads "Matt Schultz".

Matt Schultz, Chino AOC Project Manager
Mining Environmental Compliance Section
Ground Water Quality Bureau

Ms. Sherry Burt-Kested
3/10/14
Page 2

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)