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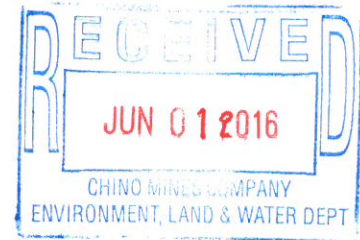
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May 26, 2016

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



RE: Response to Supplemental Completion Report Razorback Ridge Area Interim Remedial Action Smelter/Tailing Soils Investigation Unit dated October 1, 2015, Chino Administrative Order on Consent.

Dear Ms. Burt-Kested:

The Ground Water Quality Bureau of the New Mexico Environment Department (NMED) received the above referenced report dated October 1, 2015. The public comment period for this report closed on April 5, 2016 without input, comments or questions from any interested parties. NMED completed its review of the report and met in the field with Freeport-McMoRan Inc. (FMI) staff on April 20, 2016 to discuss various aspects of the report. At this time NMED is providing comments on the report, requesting changes and that the report be resubmitted before it can be approved. The comments are provided below.

General Comments

1. The report mentions previous agreements made between NMED and FMI but none of those agreements are discussed in detail nor specifically cited in the report. NMED requests that the report includes a more descriptive account of the site history specific to the Razorback Ridge Area. Please describe the determination process as related to clean-up levels for Razorback Ridge Area.
2. Please describe how the requirements from DP-1340 and the Lake One reclamation influenced and directed the remediation of the Razorback Ridge Area. Additional detail should be completed with the purpose of providing all necessary information in this report, instead of merely citing reports elsewhere.

3. It appears that most samples indicate that clean-up levels are met for ecological receptors for copper concentrations even though the remediation of the Razorback Ridge Area targeted clean-up levels for the protection of human health. Please include a section that further discusses clean-up levels, current and future land use and how this relates to comment one above.
4. Please include a map depicting the boundary of the New Mexico Mining and Minerals Division permit area for Lake One and the overlap with the AOC and DP-1340 areas of this project, along with a description of the interrelation between these areas.
5. The report should summarize the decision making timeline for the excavated soil such as the reason and purpose for the removal (fill for Lake One). The current version cites safety concerns for areas that were not sampled and areas where soil was not removed. In actuality, there were other reasons for removal due to the Razorback Ridge Area AOC remedial investigation and the interests from the FMI reclamation group for fill and borrow material. A map including isoconcentration lines for copper should depict the areas that were determined not to be removed for remediation or for borrow material.

The report should be expanded to include previous sampling efforts in addition to the ones associated with this specific project, such as an evaluation of the reclaimed site compared to site conditions before remediation. The report should also detail what is known about the concentrations of the contaminants of concern along the east slope and cliff areas that were not sampled during this project.

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

Sincerely,



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

DWM: dwm

cc: Petra Sanchez, USEPA (via email)
Michelle Hunter, NMED (via email)
Kurt Vollbrecht, NMED (via email)
Joe Fox, NMED (via email)
Mark Lewis, Formation Environmental (via email)
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