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NEW MEXICO
ENVIRONMENT DEPARTMENT

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BUTCH TONGATE
Cabinet Secretary

J.C. BORREGO
Deputy Secretary

March 19, 2018

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



RE: Approved Request to Defer Completion of the White Rain Study, Smelter/Tailing Soil Investigation Unit, Chino Administrative Order on Consent

Dear Ms. Burt-Kested:

The New Mexico Environment Department (NMED) has reviewed your request to defer the completion of the final report on the White Rain study and to attach the April 18, 2017 "Year 5 Report on pH Monitoring to Evaluate the Effect of the White Rain on the Smelter/Tailing Soil Investigation Unit" and NMED's previous comments on the report to the pending Feasibility Study for the Smelter/Tailing Soil Investigation Unit. NMED approves the deferment to the Feasibility Study but at this time is not approving the April 2017 report based on the documented concerns from NMED. The completion of the report by Chino Mines Company and approval by NMED remains outstanding.

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

Sincerely,

David Mercer

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: Bruce Yurdin, NMED (via email)
Kurt Vollbrecht, NMED (via email)
Joseph Fox, NMED (via email)
Petra Sanchez, USEPA (via email)
Alicia Voss, Freeport-McMoRan Inc. (via email)
Pam Pinson, Freeport-McMoRan Chino Mines Company (via email)