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**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

Ground Water Quality Bureau

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**James C. Kenney**  
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Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

December 20, 2019

Pam Pinson  
Senior Environmental Engineer  
Freeport-McMoRan Chino Mines Company  
P.O. Box 10  
Bayard, New Mexico 88023

**RE: Conditional Approval of Revised Addendum to the Groundhog No. 5 Stockpile  
Geochemical Evaluation, Freeport-McMoRan Chino Mines Company**

Dear Ms. Pinson:

The Mining Environmental Compliance Section (MECS) of the New Mexico Environment Department (NMED) has reviewed the submittal from Freeport-McMoRan Chino Mines Company (permittee) titled *Technical Memorandum: Revised Groundhog No. 5 Stockpile Geochemical Evaluation Addendum Groundwater Pathway Evaluation* (Revised Addendum) dated July 16, 2019. The Revised Addendum was submitted to NMED in response to comments provided by NMED during a teleconference between the permittee and NMED on June 6, 2019 and in response to additional comments provided by NMED in a letter submitted to the permittee dated June 13, 2019. A closure plan for the Groundhog No. 5 Stockpile is included in the Updated Closure/Closeout Plan (Updated CCP) dated February 14, 2018 for Chino Mine and is being incorporated into the Renewal and Modification of the Supplemental Discharge Permit for Closure, DP-1340. Based on the results of the Revised Addendum and prior investigations, NMED has determined that the closure plan included within the Revised CCP will meet the requirements of the Water Quality Act and Chino Administrative Order on Consent.

NMED hereby approves the Revised Addendum dated July 16, 2019 subject to the following conditions:

1. In accordance with the Updated CCP, and Modification 05-1 of Mining Act permit No. GR009RE the permittee will add a minimum of one foot of cover to the entire Groundhog No. 5 Stockpile. Within 60 days of the date of this letter, the permittee shall submit to NMED and the New Mexico Mining and Minerals Division for approval a cover placement plan which at a minimum describes the source(s) of the cover, procedures for characterization of the selected cover if necessary, and an implementation and completion schedule.
2. As a component of final cover placement, the permittee shall regrade the top surface (northern portion) of the Groundhog No. 5 Stockpile to prevent ponding of water.
3. Within 30 days of the date of this letter, the permittee shall clear the east side run-on diversion channel of sediment and debris to allow it to function as designed.
4. Toe trench water quality monitoring, and inspections and maintenance of the reclaimed stockpile shall be performed in accordance with DP-1340, and any requirements of the New Mexico Mining Act.

NMED recommends the permittee consider using an existing natural erosion gully east of the lower portion of the Groundhog No. 5 Stockpile for discharge of the run-on from the upper portion of the east run-on channel.

Please contact David Mercer of MECS at 575-956-1550 or [david.mercer1@state.nm.us](mailto:david.mercer1@state.nm.us) with any questions.

Sincerely,



Kurt Vollbrecht, Program Manager  
Mining Environmental Compliance Section  
New Mexico Environment Department

cc: Sherry Burt-Kested, Freeport-McMoRan Chino Mines Company (signed PDF copy sent via electronic mail to: [sburtkes@fmi.com](mailto:sburtkes@fmi.com))  
David Mercer, MECS (signed PDF copy sent via electronic mail to: [David.Mercer1@state.nm.us](mailto:David.Mercer1@state.nm.us))  
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