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**NEW MEXICO
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James C. Kenney
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March 31, 2021

Sent via email March 31, 2021

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

RE: Additional Information Required- B Ranch Interim Removal Action Completion Report Smelter Tailings Investigation Unit, dated November 13, 2020, Chino Administrative Order on Consent.

Dear Ms. Burt-Kested:

The Ground Water Quality Bureau (GWQB) of the New Mexico Environment Department (NMED) received the B Ranch Interim Removal Action Completion Report (Report) dated November 13, 2020 from Freeport-McMoRan Chino Mines Company (Chino). NMED has completed a review of the Report and noted several items that need to be addressed prior to further consideration. Please address the following concerns and re-submit the report for NMED review.

1. Section 2.1.3 and Section 3.4. In both sections, the report mentions the use of the STSIU pre-FS RAC of 1,600 mg/kg copper in soils as a 'vertical removal target guide'. However, there is no clear indication in the report as to how the 'target guide' was utilized in deciding removal depth. In the first full paragraph on Page 10, the text says: "Although 1600 ppm was applied as a vertical removal target guide where possible, the variability for soil removal depths determined how deep to remove soils below 4,500 ppm in order to control final grade." Please clarify how the 1,600 mg/kg pre-FS RAC was used to make decisions on soil removal depth.

2. Section 3. It is unclear how the area to be excavated was determined. The text only discusses sampling conducted during the removal to guide depth but provides no detail regarding how the areas selected for removal were determined prior to the removal action. There is some discussion in Section 1 and Section 3.4, but a clear discussion of the pre-removal decision for determining which soils were to be removed at the Site would be helpful to the reader.

3. Section 3.4, Page 9. Please provide a reference for the equation used to convert copper in the 2,000 um size fraction to the 250 um size fraction.

4. Section 3.4, Page 10. A brief discussion of the findings of the lab/XRF split sample analyses

presented in Appendix H should be provided in this section. This discussion should include information about the accuracy and precision of the XRF sampling and any effect that may have on interpreting the results of the post-remediation XRF data. A summary of this information should also be added to the first bullet in Section 4.

5. Section 5. 1st Bullet. Please provide information about why the remedial boundaries were expanded.

6. Section 5. 2nd Bullet. This is the first mention of an operational landfill in the document. A discussion of the landfill and information related to the determination that it did not require excavation should be provided in the document. In addition, Figures 2, 3, and 4 do not appear to have a landfill noted as discussed in the bullet point.

7. Appendix D. Section 3.0. The final sentence of Section 3.0 says: "The following summarizes the sample collection and analyses:", but no text follows the colon. Was a further summary in that section intended or do Sections 3.1 and 3.2 include the summary?

If you have any questions, please contact me at (505) 372-8545.

Sincerely,

David W 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: Petra Sanchez, USEPA (via email)
Kurt Vollbrecht, NMED (via email)
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Mike Steward, Freeport-McMoRan Inc. (via email)
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