



Freeport-McMoRan Chino Mines Company
P.O. Box 10
Bayard, NM 88023

May 2, 2025

Certified Mail # 70221670000184287809

Mr. Jonas Armstrong, Director
New Mexico Environment Department
Water Protection Division
P.O. Box 5469
Santa Fe, New Mexico 87502

Dear Mr. Armstrong:

Re: Freeport-McMoRan Chino Mines Company - AOC Quarterly Report, First Quarter 2025

This Administrative Order on Consent (AOC) Quarterly Report documents activities performed during the reporting period from January 1 through March 31, 2025. The report is submitted and organized as outlined in Article IX, Section E of the AOC between the New Mexico Environment Department (NMED) and Freeport-McMoRan Chino Mines Company (Chino). Chino also submits a copy of this report to the New Mexico Energy, Mineral and Natural Resources Department, Mining and Minerals Division (MMD), per its request.

AOC Activities

During the first quarter of 2025, the following major activities occurred:

- The AOC Technical Group participated in a field inspection of the AOC Investigation Units(IU) on January 15th.
- Chino submitted a formal draft Feasibility Study (FS) for the Smelter Tailing Soils IU for NMED and stakeholder review.
- The AOC Technical Group participated with their consultants in a field inspection of the Smelter Tailing Soils IU on March 11th.
- Chino mailed out the annual Copper Soil Health Advisory under the Hurley Soils IU.
- Community Work Group (CWG) met on January 14th for a presentation on the Lampbright IU FS. Additionally, the CWG met on March 11th for a presentation on the Smelter Tailing Soils IU FS.
- Chino conducted quarterly post remediation monitoring of the Interim Removal Action sites within the Hanover Whitewater Creek IU and Smelter Tailing Soils IU.
- Chino and NMED conferenced monthly to discuss current AOC activities.

Hanover/Whitewater Creeks Investigation Unit (HWC IU)

IRAs in the Groundhog Mine Area

Groundhog Mine Site: As per the *Groundhog Mine Site Interim Remedial Action (IRA) Completion Report* and additional supplemental completion reports for the Groundhog Mine area, Chino performed bi-annual surface water and ground water quality monitoring for this quarter. The monitoring data are included in the Groundhog Mine Site annual monitoring reports submitted at the end of October for each year of monitoring. Going forward under the renewed Discharge Permit 484, the lower pond is now an operational tailing pipeline containment area, and the surface water is no longer under the AOC IRA sampling requirement. Additionally, groundwater sampling for the site is now under a DP 1340 SiteWide Abatement draft sampling analysis plan under review by the NMED. NMED, in their approval of the recently submitted annual Groundhog IRA monitoring report, documented the changes to these IRA water quality monitoring requirements in a letter dated April 28, 2025.

Lucky Bill Canyon: Reclamation construction is now complete for the Lucky Bill Groundhog Mine No. 5 site and is in post-reclamation monitoring as per Modification 14-1 to the MMD Permit GR009RE.

Current activities for the Groundhog No. 5 Stockpile site in sequencing reclamation requirements with the AOC:

- MMD approved the completed reclamation detailed in the Chino Lucky Bill Groundhog #5 Stockpile Reclamation Construction Quality Assurance Report in a letter dated August 2023.

- Chino continues to monitor and collect samples from the updated seepage collection system at the toe of the Groundhog No. 5 Stockpile in alignment with DP 1340 requirements. It has been noted that despite high precipitation events in 2022, no seepage is reporting into the collection system indicating that the stormwater diversions and soil cover are successfully limiting percolation into the stockpile.
- The reclaimed stockpile is currently inspected quarterly for stability to meet the MMD Permit GR009RE requirements and is no longer monitored under the AOC.

Bayard Canyon: Chino performed additional mass removal of stockpile material in Bayard Canyon in 2021 as a supplemental IRA to the 2019 HWC IU IRA. Chino performs quarterly inspections of the site as per the approved IRA completion report.

2019 Whitewater Creek IRA

This HWC IU IRA completed a removal of impacted material from Whitewater Creek in 2019. Under DP-1340, Chino submitted in 2021 and in early 2022, two workplan proposals for sampling the base flow surface water and for sampling high flow stormwater runoff surface water, respectively, for Whitewater Creek. These workplans are in support of sitewide abatement activities but that would also document water quality following the recent IRAs in HWC IU. Chino implemented both workplans during the summer of 2022 and completed sampling in early October 2022. NMED is currently reviewing a draft of the first annual baseflow surface water data report. Chino anticipates submitting formally both sampling data result reports in the second quarter of 2025.

Chino submitted a revised residual risk assessment report (RRA) and received approval from NMED in 2023, as a follow up to the completed IRA. Chino and NMED discussed next steps for this IU in a conference call in December 2024. NMED is developing pre-FS RAC for the HWC IU anticipating providing to Chino in late 2025.

Hurley Soils Investigation Unit (HSIU)

Chino mailed out the annual Health Advisory April 4, 2025 to property owners refusing soil yard remediation and their adjacent neighbors. NMED is currently performing their second review as required by the HSIU Record of Decision. The review will document the effectiveness of the 2007 IRA remedy in remediating copper above 5000 ppm. Following the posting of public notices to advise of the evaluation review of the remediation, NMED performed soil sampling of 13 selected sites in the town of Hurley in the summer of 2024. NMED and Chino discussed sampling results via conference call on April 25, 2025. NMED is currently drafting their review assessment report and anticipates issuing the results in the third quarter of 2025.

Lampbright Investigation Unit (LIU)

NMED provided Chino with their decision for the pre-FS RAC in a letter dated July 10, 2024. Chino submitted the formal draft FS for NMED and stakeholder review on November 5, 2024. NMED opened a public review and comment period on December 6, 2024 ending on January 20, 2025. Chino provided a presentation of the draft FS to the CWG on January 14, 2025. NMED anticipates providing Chino public and stakeholder review comments in May 2025.

Smelter Tailings Soil Investigation Unit (STS IU)

Feasibility Study

Chino submitted the formal draft FS for NMED and stakeholder review on February 19, 2025. NMED opened a public review and comment period on March 7, 2025 ending on April 12, 2025. NMED anticipates providing Chino public and stakeholder review comments in June 2025. The AOC Technical Group participated in a field inspection of the STS IU on March 11, prior to a presentation of the draft FS to the CWG later that evening.

Interim Remedial Actions

As an extension of the completed 2008 STS IU Golf Course IRA and utilizing the 2006 IRA workplan, Chino completed the Hurley Railroad IRA, the Razorback Ridge IRA, and the B-Ranch IRA, intermittently between 2008 and 2019. Chino performs quarterly erosion and revegetation monitoring of the B-Ranch site as per the approved IRA completion report.

Historical tailings material located in the Apache Tejo drainage was incorporated into the STS IU by NMED in 2009. Chino drafted a characterization report for the Apache Tejo drainage system per NMED request in 2020. Chino submitted a finalized updated survey and characterization report for Apache Tejo in May 2021. The formal draft FS for the STS IU discusses this drainage as a follow up to the Apache Tejo Characterization report.

Community Relations

The Community Work Group (CWG) met on January 14, 2025, and was provided a presentation by Chino, on the formally submitted LB IU FS. Additionally, the CWG met on March 11, 2025, and was provided a presentation by Chino's consultant, Arcadis, on the formally submitted STS IU FS. The CWG voted to have the next CWG meeting in May 2025. The three local Chino AOC document repositories continue to be maintained and updated with current documentation. The online electronic document repository (<http://www.fcx.com/chino/>) is also up to date.

Next Quarter's Scheduled Activities

The following work and activities have occurred or are projected for the second quarter of 2025:

- NMED provided approval of the annual Groundhog IRA report.
- NMED will provide public and stakeholder review comments on the draft Feasibility Study for the LIU.
- Chino will submit a finalized FS under the LIU.
- NMED will provide public and stakeholder review comments on the draft Feasibility Study for the STS IU.
- The CWG will meet on May 12th.
- The CWG will participate in their annual AOC site visit.
- Chino will conduct quarterly inspections of interim remediation sites within the HWC IU and STS IU.
- The AOC Technical Group plans to meet quarterly, and Chino and NMED will review AOC activities monthly.

Personnel Changes

Personnel changes occurred for the AOC in the first quarter of 2025. Ms. Erica Almance has assumed the Environmental Protections Agency (EPA) AOC oversight position from Ms. Petra Sanchez, who retired in February. Ms. Almance is a Remedial Project Manager for New Mexico under the EPA Region 6.

Problems and Solutions

There were no problems that adversely affected the AOC this quarter.

Please contact Ms. Pam Pinson at (575) 912-5213 with any questions or comments concerning this report.

Sincerely,



Sherry Burt-Kested, Manager
Environmental Services

SBK:pdp
Enclosures
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