



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

July 25, 2025

**Certified Mail # 70221670000184289025**

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, Second Quarter 2025**

This Administrative Order on Consent (AOC) Quarterly Report documents activities performed during the reporting period from April 1 through June 30, 2025. The report is submitted and organized as outlined in Article IX, Section E of the AOC, an agreement 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 second quarter of 2025, the following major activities occurred:

- Chino mailed out the Hurley Soils Investigative Unit Annual Health Advisory to those residents that did not participate in the remedial action of yard soil removal.
- Community Work Group (CWG) met on May 13<sup>th</sup> for an update on recent AOC activities.
- NMED issued public and stakeholder comments regarding Lampbright Investigation Unit (LIU) Draft Feasibility Study on May 16, 2025.
- NMED issued public and stakeholder comments regarding Smelter Tailings Soil Investigation Unit (STS IU) Draft Feasibility Study on May 23, 2025.
- 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 the DP-1340 Site Wide 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. Additionally, Chino plans to perform the second year of base flow surface water sampling per the approved workplan during the third quarter.

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 the next steps for this IU in a conference call in December 2024. NMED is developing a pre-FS RAC for the HWC IU and anticipates issuing it 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 to their adjacent neighbors. Chino provided NMED the "proof of mailing" of the advisory on May 8, 2025. 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 reviewed sampling results via conference call on April 25, 2025. During the week of August 11, 2025, NMED plans to conduct additional sampling for 9 of these sites that are residential to provide a more detailed and comparable characterization of copper concentrations to the original IRA sampling. Upon completion of sampling, NMED will prepare and issue a Review Assessment Report, with issuance anticipated in the fourth 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 CWG on January 14, 2025. NMED issued public and stakeholder review comments to Chino on May 16, 2025. Chino requested a time extension in a letter dated June 6, 2025, to respond to those comments and submit the finalized FS by July 30, 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 issued public and stakeholder review comments to Chino on May 23, 2025. Chino requested a time extension in a letter dated July 14, 2025 to respond to those comments and submit the finalized FS by September 22, 2025.

##### **Interim Remedial Actions**

As an extension of the completed 2008 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 May 13, 2025, and was provided with an update on recent AOC activities by Chino. Neither NMED or EPA were able to attend. The CWG voted to have the next CWG meeting in September 2025 and plans to have their annual AOC site visit in October 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 third quarter of 2025:

- Chino will submit a finalized FS under the LIU.
- Chino will submit a finalized FS under the STS IU.
- Chino will re-sample White Rain locations to update conclusions of the Five-Year pH Monitoring Report in support of finalizing the STS IU FS.
- The CWG will meet on September 9<sup>th</sup>.
- 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**

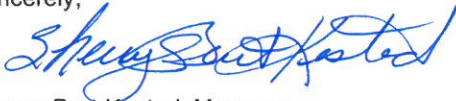
No personnel changes occurred for the AOC in the second quarter of 2025.

#### **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  
NMO Environmental Services

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20250721-001

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