



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

October 17, 2025

Certified Mail # 70221670000184289629

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, Third Quarter 2025

This Administrative Order on Consent (AOC) Quarterly Report documents activities performed during the reporting period from July 1 through September 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 third quarter of 2025, the following major activities occurred:

- Chino submitted the finalized Feasibility Study (FS) for the Lampbriht Investigation Unit (LIU).
- Community Work Group (CWG) met on September 9th.
- NMED performed additional soil sampling to evaluate the effectiveness of the removal action under the Hurley Soils IU (HSIU).
- Chino conducted sampling to update data results from the 2015 Five-Year pH Monitoring Report of the 2008 "white rain" event in support of finalizing the Smelter Tailing Soils IU (STS IU) FS.
- Chino and NMED conducted an annual, as well as a quarterly, post remediation inspection of the IRA sites within HWC IU and STS IU.
- Chino performed vegetation surveys at the Bayard Canyon and B-Ranch Interim Removal Action (IRA) sites for the five-year quantitative monitor reporting required by the IRA Completion Reports.
- Chino and NMED discussed next steps for the HWC IU under the AOC and under DP-1340 abatement in a conference call on September 3rd.
- The AOC Technical Group discussed current activities in a quarterly conference call on September 9th. Additionally, 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: NMED approved Chino's proposal in the 2024 annual report for removing the Lower Pond Collection System, as well as the bi-annual surface water and ground water quality monitoring from the Groundhog Mine Site annual reporting in a letter dated April 28, 2025. As per the *Groundhog Mine Site Interim Remedial Action (IRA) Completion Report* and additional supplemental completion reports for the Groundhog Mine area, Chino previously performed bi-annual surface water and ground water quality monitoring. 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 or its 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. Annual monitoring reports for the Groundhog Mine Site are submitted at the end of October for NMED review.

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. On September 15 and 16, Chino performed a survey at the Bayard Canyon IRA site to document vegetation success for species and cover for the five-year quantitative vegetation monitoring per the requirements of the completion report approved in a letter dated November 3, 2022. Chino anticipates submitting the five-year monitoring report in the first quarter of 2026.

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 base flow surface water data report. Chino anticipates submitting formally both sampling data results reports in the fourth quarter of 2025. Currently, Chino is monitoring Whitewater Creek for base flow surface expression of the alluvial groundwater and anticipates performing the second year of sampling per the approved workplan during the fourth quarter of 2025, provided that there is sufficient recharge to the alluvial system under current drought conditions.

Chino submitted a revised residual risk assessment report (RRA) and received approval from NMED in 2023, as a follow up to the completed IRA. The AOC Technical Group with their consultants discussed with the NMED Groundwater Quality Bureau the next steps under the AOC and the DP 1340 abatement plan for Hanover and Whitewater Creeks in a conference call on September 3, 2025. NMED is following up with the development of a pre-FS RAC for the HWC IU and anticipates discussion of a draft with Chino during the fourth quarter of 2025.

Hurley Soils Investigation Unit (HSIU)

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 July 2024. NMED and Chino reviewed sampling results via conference call in April 2025. On August 19 and 20, 2025, NMED with field support from their consultants and Chino conducted additional soil sampling to provide a more robust sampling data set for 9 of these sites that are residential. The HSIU Record of Decision requires NMED to perform an assessment periodically to evaluate the remedy effectiveness for the 2007 to 2014 removal action in remediating copper above 5000 ppm. Currently, NMED is drafting a Review Assessment Report, with issuance anticipated in the first quarter of 2026.

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 an extension to respond in a letter dated June 11, 2025, and received approval from NMED for additional time to submit a revised FS in a letter dated July 28, 2025. Chino submitted a response to those comments with the revised final FS on August 8, 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. Chino provided a presentation of the FS to the CWG in March 2025. NMED issued public and stakeholder review comments to Chino on May 23, 2025. Chino requested an extension to respond in a letter dated July 14, 2025, and received approval from NMED for additional time to submit a revised FS in a letter dated July 29, 2025. Chino submitted a response to those comments with the final FS on October 3, 2025.

In response to comments received on the draft FS, Chino conducted sampling to update data results from the 2015 Five-Year pH Monitoring Report of the 2008 "white rain" event in support of finalizing the STS IU FS. A technical memorandum report updating the 2015 data results is appended to the revised final FS dated October 3, 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. On September 16, Chino performed a survey at the B-Ranch IRA site to document vegetation success for species and cover for the five-year quantitative vegetation monitoring per the requirements of the completion report approved in a letter dated August 20, 2021. Chino anticipates submitting the five-year monitoring report in the first quarter of 2026.

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 FS for the STS IU submitted October 3, 2025, discusses this drainage as a follow up to the Apache Tejo Characterization report.

Community Relations

The Community Work Group (CWG) met on September 9, 2025, and Chino presented a thirty-year history of Hanover and Whitewater Creek improvements documented in photos through time capturing changes from interim actions and operational source controls. The CWG voted to have their annual AOC site tour on October 25, 2025, to tour the LIU area as a follow up to the recently submitted FS. Additionally, the next CWG voted to meet again on December 9, 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 fourth quarter of 2025:

- Chino submitted the final FS for the STS IU on October 3, 2025.
- Submit the annual Groundhog Mine Site IRA report under HWC IU.
- The CWG will participate in their annual AOC site tour.
- The CWG plans to meet on December 9, 2025.
- NMED will draft the Hurley Soils IU remedy assessment report.
- 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 third quarter of 2025.

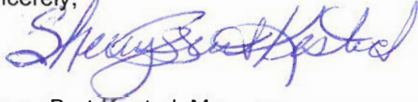
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Problems and Solutions

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

SBK:wk
Enclosures
20251013-001

cc: David Mercer, NMED
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