FREEPORT-McMoRan

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

October 30, 2026

Certified Mail # 70221670000184299789

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 2026

This Administrative Order on Consent (AOC) Quarterly Report documents activities performed during the reporting period from July 1 through September 30, 2026. 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 2026, the following major activities occurred:

- Chino submitted the finalized Feasibility Study (FS) for the Smelter Tailing Soils Investigation Unit (STS IU).
- Chino submitted the five-year quantitative vegetation monitoring report for the Bayard Canyon IRA under the Hanover Whitewater Creek IU (HWC IU) and the qualitative vegetation monitoring report for the B-Ranch IRA under the STS IU for NMED review.
- Community Work Group (CWG) met on September 8th for an update on recent AOC activities.
- Chino conducted quarterly post remediation monitoring as well as the annual inspection of the Interim Removal Action sites within the HWC IU and STS IU with NMED participation on September 25th.
- Chino and NMED conferenced monthly to discuss current AOC activities.
- The AOC Technical Group and their respective consultants participated in a conference call on September 23rd to discuss finalizing the completion report for the soil removal action in the old smelter parking lot in support of the Hurley Soil IU.
- The AOC Technical Group met for their quarterly review on July 29th 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 2025 annual report for terminating the annual monitor reporting requirement for the Groundhog Mine IRA and to assess remedial success under the pending Feasibility Study (FS) and Record of Decision (ROD) for the HWC IU in a letter dated January 23, 2026. Under the renewed discharge permit DP-484, the lower pond is now an operational tailing pipeline containment area, and the surface water is no longer under the AOC Interim Remedial Action (IRA) or a sampling requirement. Additionally, groundwater sampling for the site is now under the discharge permit DP-1340 Site Wide Abatement draft sampling analysis plan under review by the NMED.

Lucky Bill Canyon:

Reclamation construction is now complete for the Lucky Bill Groundhog Mine No. 5 site and is in post-reclamation monitoring, following the approval of the 2023 Construction Quality Assurance Report, 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:

- Chino continues to monitor the updated seepage collection system at the toe of the Groundhog No. 5 Stockpile in alignment with DP-1340 requirements. 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, 2025 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 submitted the five-year monitoring report July 7, 2026. NMED anticipates providing comments in the fourth 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 base flow surface water and for sampling high flow stormwater runoff, 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 submitted sampling data results report for 2022 high flow stormwater runoff on October 1, 2026. Chino continues to monitor Whitewater Creek for base flow surface expression of the alluvial groundwater in order to conduct a second year of sampling per the approved DP-1340 workplan.

Chino submitted a revised residual risk assessment report (RRA) and received approval from NMED in 2023, as a follow up to the completed IRA. NMED is currently developing pre-FS RAC for the HWC IU and anticipates discussion of the draft with Chino during the fourth quarter of 2026.

Hurley Soils Investigation Unit (HSIU)

Following the posting of public notices to advise of the evaluation review of the remediation, NMED conducted soil sampling of 13 selected residential sites in the town of Hurley in July 2024 and performed additional soil sampling at 9 of these residential sites to provide a more robust sampling data set in August 2025. The HSIU ROD requires NMED to perform an assessment periodically to evaluate the remedy effectiveness of the 2007 to 2014 removal action in remediating copper above 5,000 ppm. Currently, NMED is drafting a Review Assessment Report, with issuance anticipated in the fourth quarter of 2026.

In January 2026, Chino implemented a removal action at a 2.5-acre area previously used as a parking lot supporting the old Smelter operations under the HSIU. The area is encircled by reclamation and past AOC removal actions, with the removal action intended to eliminate a potential source of copper for the HSIU. Chino completed the soil removal, backfill, and regrading on April 23, 2026. Seeding of the lot was completed by mid-July 2026. Chino submitted the removal action completion report on October 16, 2026.

Lampbright Investigation Unit (LIU)

NMED provided pre-FS Remedial Action Criteria (RAC) for the LIU to Chino in a letter dated July 10, 2024. Chino submitted the finalized FS on December 11, 2025, following public reivew. NMED anticipates issuing the Proposed Plan for public and stakeholder review during the fourth quarter of 2026. Issuance of the Proposed Plan will occur prior to finalizing the Record of Decision (ROD).

Smelter Tailings Soil Investigation Unit (STS IU)

Feasibility Study
Chino submitted a final FS on October 3, 2025, following NMED review of the formal draft FS. NMED issued public and stakeholder comments regarding Appendix B and F of the final STS IU FS in a letter dated January 28, 2026. NMED approved Chino requests for an extension period that ended in July 2026 to respond to the provided comments and to finalize the FS. Chino provided a response to those comments with the second submittal of the final FS on July 30, 2026. NMED is currently reviewing and drafting a proposed plan,

anticipating public review in first quarter 2027 prior to providing the resulting ROD.

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. In September 2025, 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 submitted the five-year monitoring report on July 7, 2026. NMED anticipates providing comments in the fourth quarter of 2026.

Community Relations

The Community Work Group (CWG) met on May 12th for an update on AOC activities. The CWG voted to meet again on September 8th. NMED is responsible for maintaining the three local Chino AOC document repositories. The online electronic document repository (http://www.fcx.com/chino/) is up to date.

Next Quarter's Scheduled Activities

The following work and activities have occurred or are projected for the fourth quarter of 2026:

- Chino submitted the completion report for the soil removal action of the old Smelter parking area under the Hurley Soils Investigation Unit (HSIU)
- NMED will provide their review of the five-year quantitative vegetation monitoring report for the Bayard Canyon IRA under the HWC IU and the qualitative vegetation monitoring report for the B-Ranch IRA under the STS IU.
- NMED will provide the pre-FS RAC for the HWC IU.
- NMED will provide the Proposed Plan for the LIU prior to drafting the final ROD.
- The CWG will attend their annual site tour of the AOC on November 7th.
- 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 2026. Mr. Michael Boulay retired from the NMED as the state AOC Lead in early October.

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:pp
Enclosures
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