



Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Patrick J. Cunningham
Acting Director

April 17, 2008

Freeport McMoran Copper & Gold Inc.
Sierrita Operations
Attention: E. L. (Ned) Hall
6200 W. Duval Mine Road
P.O. Box 527
Green Valley, AZ 85622-0527

Re: Mitigation Order on Consent No. P-50-06
Groundwater Monitoring for Sulfate

Dear Mr. Hall:

The Arizona Department of Environmental Quality ("ADEQ") is in receipt of the "First Quarter 2009 Groundwater Monitoring Report" dated April 14, 2009. In addition, ADEQ has had several meetings and teleconferences with Freeport's consultants regarding groundwater monitoring under the Mitigation Order for the period prior to implementation of the anticipated Mitigation Plan. Specifically, in a letter dated December 23, 2008, Freeport requested a change in the groundwater monitoring protocol and ADEQ responded to that request in a letter dated January 26, 2009. Since the January 26, 2009 letter, ADEQ has had several additional conversations with Freeport's consultants regarding groundwater monitoring. Based on these conversations and review of the "First Quarter 2009 Groundwater Monitoring Report," ADEQ agrees to the following changes to the groundwater monitoring plan approved in the Work Plan for Mitigation Order on Consent No. P-50-06:

1. On a quarterly basis, Freeport should continue to sample water quality and measure water levels at the following monitoring wells:

MO-2009-1, upgradient of Community Water ("CW") 10;
MO-2007-4A, B, C, upgradient of CW-6;
NP-2, MO-2007-3B, C, upgradient of CW-9; and
All drinking water production wells.

2. On an annual basis, Freeport should sample water quality and measure water levels at the 82 wells referenced in the "First Quarter 2009 Groundwater Monitoring Report" (to the extent possible).

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3. In addition to the sampling and water level measurements requested above, on a semiannual basis Freeport should sample water quality and measure water levels at the wells identified in Freeport's December 23, 2008 letter to ADEQ.
4. As stated in the January 26, 2009 letter from ADEQ to Freeport, Freeport may analyze filtered groundwater samples for dissolved sulfate following the United States Environmental Protection Agency ("EPA) Method 300.0, eliminating the monitoring of total sulfate concentrations.
5. As stated in the January 26, 2009 letter from ADEQ to Freeport, Freeport may submit groundwater monitoring reports to ADEQ on the last day of the month in April and October, unless Freeport detects levels rising above 135 mg/l sulfate in the vicinity of identified drinking water sources. In that event, ADEQ expects that Freeport will notify ADEQ immediately in writing, providing the analytical results, as well as any interim actions taken in response to the increased levels of sulfate.

Hopefully, this letter clarifies and resolves all issues raised by Freeport in response to ADEQ's January 26, 2009 letter. If you have any additional questions, please do not hesitate to call me.

Sincerely,



Cynthia S. Campbell, Manager
Water Quality Compliance Section

cc: Stuart M. Brown, President
Bridgewater Group, Inc.
4500 SW Kruse Way Suite 110
Lake Oswego, OR 97035

Ray Lazuk, Freeport McMoran Gold & Copper Inc.

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