



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY



Misael Cabrera
Director

November 20, 2015

Freeport-McMoRan Sierrita Inc.
Attention: Deborah L. Chismar
6200 West Duvall Mine Road
PO Box 527
Green Valley, Arizona 85622-0527

Re: Review of the Response to ADEQ's Review of the Mitigation Plan for Sulfate with Respect to Drinking Water Supplies in the Vicinity of the Freeport-McMoRan Sierrita Inc. Tailing Impoundment, Mitigation Order on Consent Docket No. P-50-06, Pima County, Arizona dated June 23, 2015

Dear Ms. Deborah Chismar:

The Arizona Department of Environmental Quality received Freeport- McMoRan Sierrita's response to ADEQ's review of the Mitigation Plan for Sulfate with Respect to Drinking Water Supplies in the Vicinity of the Freeport-McMoRan Sierrita Inc. Tailing Impoundment, pursuant to Mitigation Order on Consent Docket No. P-50-06, on June 23, 2015. The APP Unit has reviewed Freeport-McMoRan Sierrita Operation's (Sierrita) responses to ADEQ's September 29, 2014 Review of the Mitigation Plan (Plan) for the Sierrita Mitigation Order. All of the responses are adequate and the Mitigation Plan is approved with Alternative 3 as the implemented mitigation alternative. ADEQ requests that if and when Sierrita decides to construct a new tailings impoundment, Sierrita notify ADEQ with written notice with a schedule of implementation.

Thank you for your efforts to comply with Arizona's environmental requirements. Should you have any comments or questions regarding this matter, please do not hesitate to contact me at (602) 771- 7681 or mmk@azdeq.gov.

Sincerely,

Madeline Keller, Enforcement Officer
Water Quality Enforcement Unit

Cc: John Broderick, Sierrita
Lana Fretz, Sierrita
Diana Kelts, Sierrita
Ned Hall, Freeport-McMoRan Copper & Gold
Stuart Brown, Freeport-McMoRan Copper & Gold
Jim Norris, Clear Creek Associates



APP15:0470

Date: November 13, 2015

To: Madeline Keller, Environmental Program Specialist, Water Quality Enforcement Unit

From: David M. Haag, R.G., P.G., Associate Hydrogeologist, APP Unit *DMH*

Subject: Review of the Response to ADEQ's Review of the Mitigation Plan for Sulfate with Respect to Drinking Water Supplies in the Vicinity of the Freeport-McMoRan Sierrita Inc. Tailing Impoundment, Mitigation Order on Consent Docket No. P-50-06, Pima County, Arizona, dated June 23, 2015

The APP Unit has reviewed Freeport-McMoRan Sierrita Operation's (Sierrita) responses to ADEQ's September 29, 2014 Review of the Mitigation Plan (Plan) for the Sierrita Mitigation Order.

Mitigation Plan

1. Response to ADEQ Recommendation 1 – Sierrita restated the uncertainties of installing a new tailings impoundment and states Alternative 3 was implemented do to those uncertainties. Sierrita does not commit to determine the feasibility of constructing a new tailings impoundment and would only provide ADEQ written notice of the project schedule if Sierrita decides to construct a new tailings impoundment.

The APP Unit recommends ADEQ's Mitigation Plan approval letter include language that mitigation option is Alternative 3 and if Sierrita decides to construct the new tailings impoundment, ADEQ must be notified with a schedule of implementation.

2. Response to ADEQ Recommendation 2 – Sierrita agrees to modify the Mitigation Plan to notify ADEQ by providing a work plan describing the data and methodology to demonstrate that the mitigation action objective has been met. The response is adequate.
3. Response to ADEQ Recommendation 3 – Sierrita has modified Section 3.4 of the Mitigation Plan that if modifications to pumping need to take place, the contingency plan would be submitted to ADEQ as notice 60 days prior to implementation. The response is adequate.
4. Response to ADEQ Recommendation 4 – Sierrita indicates that the speed of sulfate plume reduction or an unexpected expansion of the plume are already considered b the Mitigation Plan and do not warrant a section in the contingency plan. The response is adequate.
5. Response to ADEQ Recommendation 5 – Sierrita will modify Section 4.2 to notify ADEQ within 90 days for a change in monitoring frequency. The response is adequate.