



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau

Harold Runnels Building
1190 St. Francis Drive
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-2918 Fax (505) 827-2965
www.nmenv.state.nm.us



KYAN FLYNN
Secretary

BUTCH TONGATE
Deputy Secretary

MEMORANDUM

DATE: March 11, 2014

TO: Holland Shepherd, Program Manager, Mining Act Reclamation Program

FROM: Brad Reid, NMED Mining Environmental Compliance Section (MECS)

THROUGH: Keith Ehlert, NMED MECS, Acting Mining Act Team Leader

RE: **Comments on Modification 13-2 to Permit GR009RE, Chino Mine, Grant County, New Mexico**

The New Mexico Environment Department (NMED) Ground Water Quality Bureau received the Chino Mines Company request to stage reclamation cover material at the Whitehouse Area and other disturbed areas within the Permit Design Limit Boundary, Modification 13-2 to Permit No. GR009RE ("Request"), from the New Mexico Mining and Minerals Division (MMD) on January 29, 2014. MMD requested that NMED provide comments within 20 days of receipt of the Request (i.e., by February 18, 2014). At the request of NMED, the comment period was extended to March 15, 2014. NMED has reviewed the Request and provides the following comments.

General Comments

Placement of reclamation cover material at disturbed areas within the Permit Design Limit Boundary is an activity that is not expressly addressed pursuant to operational ground water Discharge Permits because cover material typically does not produce a discharge with potential to impact water quality; however, insomuch as placement of this material might affect the Closure/Closeout Plan or be done in such a way to invoke applicable sections of the Copper Mine Rule, NMED has a regulatory interest. The Copper Mine Rule requires that placement of material on waste rock piles be implemented in such a way to plan for closure and be in

accordance with an operating plan that describes, among other things, sequencing of material placement (e.g., 20.6.7.18, 20.6.7.21 and 20.6.7.33 NMAC).

Accordingly, in order to assess potential impacts to the Chino Supplemental Discharge Permit for Closure (DP-1340) and associated financial assurance, operational Discharge Permits, or the Copper Mine Rule, NMED requests to be included on notification from Chino Mines Company prior to placement of cover material as described in the Request. Notification should include maps showing footprints of existing and proposed stockpiles, recording of the stockpile base elevation, material placement sequencing, and assurance that the requirements of the Material Handling Plan have been met. Proper documentation of cover placement will help insure that cover material is not deleteriously impacted by mine operations and that the placed material is appropriate for its intended use (i.e., has suitable textural and geochemical characteristics for use as cover). Placement of material not in accordance with applicable material handling/characterization plan(s), or in areas that are not previously disturbed by mining operations may require permit amendments or modifications from NMED.

If you have any questions regarding these issues, please contact Brad Reid at (505) 827-2963 or Kurt Vollbrecht, Acting Program Manager of the Mining Environmental Compliance Section, at (505) 827-0195.

Cc: Jerry Schoeppner, Bureau Chief, NMED GWQB
Kurt Vollbrecht, Acting Program Manager, NMED MECS



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

New Mexico
ENVIRONMENT DEPARTMENT

Air Quality Bureau

525 Camino de los Marquez, Suite 1

Santa Fe, NM 87505

Phone (505) 476-4300

Fax (505) 476-4375

www.nmenv.state.nm.us



Ryan Flynn
Secretary

Butch Tongate
Deputy Secretary

MEMORANDUM

DATE: February 24, 2014

TO: Kurt Vollbrecht,
Mining Act Team Leader
Ground Water Quality Bureau

THROUGH: Richard Goodyear,
Bureau Chief, Air Quality Bureau

FROM: Sufi Mustafa,
Manager Air Dispersion Modeling Section

RE: Request for Comments, Modification 13-2 to Permit No. GR009RE, Chino Mine, Grant County, New Mexico.

The New Mexico Air Quality Bureau (AQB) has completed its review of the request from Freeport McMoRan to stage cover material within the existing permit design limits and to construct future stockpiles within the permit design limits.

Pursuant to 19 NMAC 10.2, Subpart 302.G of the New Mexico Mining Act Rules, the AQB has the following comments:

The AQB has no objection in construction of the cover material stockpiles for future reclamation of the mined areas.